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The UNITED STATES *and the* UNITED NATIONS

★ REPORT ★

by the PRESIDENT to the CONGRESS

FOR THE YEAR 1947

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Report by the President to the Congress

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FOR THE YEAR 1947

Second Annual Report on Activities of the United Nations and the Participation of the United States Therein

UNITED STATES GOVERNMENT PRINTING OFFICE
WASHINGTON : 1948

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DEPARTMENT OF STATE

PUBLICATION 3024

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Released February 1948

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International Organization and Conference Series

I General

II Regional

American Republics

European and British Commonwealth

Far Eastern

Near and Middle Eastern and African

III United Nations (including Commissions)

IV Specialized Agencies

(See Chart of the United Nations)

DIVISION OF PUBLICATIONS
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LETTERS OF TRANSMITTAL

The President to the Congress

To the Congress of the United States:

I transmit herewith to the Congress, pursuant to the United Nations Participation Act of 1945 [section 4, Public Law 264, 79th Congress, 59 Stat. 620], my second annual report on the activities of the United Nations and the participation of the United States therein covering the calendar year 1947.

The problems of international relations arising this past year in the meetings of the United Nations were met neither by evasion nor by meaningless compromises. The decisions and recommendations on the large number of problems noted in this Report are straightforward expressions of the judgment held by the overwhelming majority of the Members on the right and effective course to follow. The small minority holding opposing views on certain important problems, however, have presented to the organization a new question of disturbing character through their nonparticipation in carrying out the recommendations with which these Members have disagreed.

By its recommendations, the United Nations is acting to maintain the independence and integrity of Greece, to bring independence to Korea, and to place the question of Palestine on the way to settlement on the basis of two independent states, one Arab and one Jewish. The General Assembly has been equipped to bring its full weight to bear on the maintenance of good relations between states during this next year, through the new Interim Committee. As decided upon by the General Assembly, remedies will be sought, through consultation among the great powers and by study among all Members, to improve the functioning of the voting provisions of the Charter and hence to strengthen the organization by increasing the effectiveness of the Security Council.

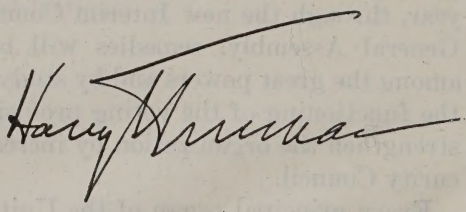
Every principal organ of the United Nations is at work, and most of the necessary committees, commissions, and subcommittees have been established. In its handling of fundamental international problems during the past year, the United Nations has felt the profound changes in world relationships and the difficulties which we still face in all aspects of international relations. Naturally, therefore, its work is

not free from disappointments. This is especially true in regard to the establishment of international control of atomic energy for peaceful purposes, and to various political, economic and other problems that directly or indirectly affect progress toward attaining international security. But, whatever the disappointments, the United Nations is making headway.

The United States will continue as heretofore to carry its full share of responsibility and of leadership in the United Nations. We hope this will encourage every Member, in the same spirit, to help the United Nations to achieve the purposes that gave it birth and to give its principles realistic effect in the problems that come before it. Our faith in the United Nations is ever-constant. We shall seek to demonstrate that faith both by energetic support and by the spirit of our participation.

The accompanying Report describes the efforts made by this Government to contribute to constructive achievement in the United Nations during the past year through the policies stated by United States representatives and through important proposals initiated in the various organs. These efforts were directed above all to assuring that the principles of the United Nations would be given full effect. The aim of our policy in matters not falling within the United Nations, but rather within direct United States relations with other governments, was to uphold the same basic principles. These principles are fundamentally those to which we have traditionally given allegiance.

It continues to be the intention of the United States to foster throughout our relations with other nations the fulfilment of the Charter in its entirety. We realize that nothing less than fidelity to the principles and faithful effort to achieve the purposes of the Charter will meet the genuine needs of any nation, whether large or small. Accordingly, the strengthening of the United Nations continues to be a cornerstone of the foreign policy of the United States.



THE WHITE HOUSE
February 20, 1948

The Secretary of State to the President

DEPARTMENT OF STATE
Washington, D. C.
January 28, 1948

The President:

I have the honor to submit for your approval and transmission to the Congress under the provisions of Section 4 of Public Law 264, approved December 20, 1945, the accompanying Report concerning the activities of the United Nations and the participation therein of the United States during the calendar year 1947.

This Report is intended to give clarity to the United Nations work at a time when it has become more complicated and substantive, and to take account of the increased number of problems to which consideration has been given during recent months. The United Nations turned its primary attention in 1947 from creating its own organization to problems of international relations requiring its attention. As it did so, its work necessarily reflected the difficulties and differences of view that prevailed, unfortunately, in many fields of international relations in the 12 months just ended.

In the presence of international discord, the United Nations has nevertheless made progress not only on the more important political, economic and social problems given most public notice during the year, but in regard to the many less spectacular matters on which it is also at work. Its record is a solid contribution to the building of a peaceful and durable world order. Some of the accomplishments noted in the Report were made despite the intransigence of a numerically small minority, which has extended to a refusal to carry out certain major recommendations. The majority of the Members are demonstrating vigorous determination to carry out their Charter obligations, to exercise their privileges as Members, and to assure that the widest possible area of cooperation in all fields within the scope of the Charter shall be fostered in every feasible way.

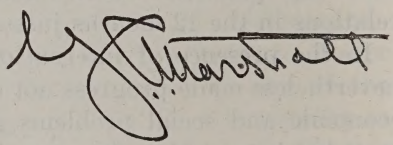
The record offers no basis for complacency, which would overlook the real obstacles that have appeared, especially the repeated inability of the great powers to agree on important questions involving the security of the world. The record offers, on the other hand, no basis for pessimism, which would unrealistically ignore the range of agreement which has been reached. The fact that the United Nations dis-

closed disagreement during its activities over the past year is no occasion for surprise. The organization was built to deal with the troubles that could not be successfully dealt with by the processes of agreement available to states through their direct bilateral and other diplomatic relations. The absence of unanimity in reaching decisions is not necessarily fatal. Differences strongly held are not readily resolved. Such matters naturally will require time as well as effort to adjust.

The Report indicates the nature of the disappointments as they stand at the close of the year. They are found principally in the security field, especially in regard to the international control of atomic energy, to the provision of armed forces for the Security Council, and to certain other specific security issues such as Greece, where efforts to insure the peace have been frustrated by the obstruction of a few Members. Our representatives are continuing to examine every approach by which further progress may be realized—progress in achieving freedom from war.

In conclusion, I wish to report that, in my opinion, there was considerable evidence that our participation in the United Nations received wide public support, and that the interest of the American people in the success of the United Nations was increased rather than diminished during the course of the past year.

Respectfully submitted,



THE PRESIDENT
The White House

CONTENTS

Page

LETTERS OF TRANSMITTAL:
The President to the Congress III
The Secretary of State to the President V

Part A: The Second Year of the United Nations

Facing Tests 3
Framework of Events, 1947 5
The United Nations in the Mainstream of World Politics . . . 7

Part B: Problems Considered by the Principal Organs

I. THE GENERAL ASSEMBLY 15

Political and Security Problems 17

1. Independence and Territorial Integrity of Greece 17
2. Establishment of the Independence of Korea 23
3. The Interim Committee of the General Assembly 27
4. Propaganda 31
5. Admission of New Members 34
6. Voting in the Security Council 35
7. Relations With Spain 38
8. Suggestions to the Countries Concerned With the Peace Treaty With Italy 39
9. Treatment of Indians in the Union of South Africa 40
10. Palestine 42

Economic and Financial Problems 57

1. Report of the Economic and Social Council 57
2. Membership in the International Civil Aviation Organization . 59
3. Relief Needs 59
4. Agreements With Specialized Agencies 60

Social, Humanitarian, and Cultural Problems 61

1. Assistance Programs 62
2. Freedom of Information 63
3. Refugees and Displaced Persons; Palestine Immigration . . . 65
4. Review of Decisions by the Economic and Social Council . . 66
5. New Action 68

Problems of Non-Self-Governing Peoples and Territories. 69
Administrative and Budgetary Problems. 69

1. Budget, 1948. 70
2. Scale of Member Contributions. 71
3. Working Capital Fund 71

Page

4. Financial Relations With Specialized Agencies 73
5. Administrative Problems of the Secretariat. 74
6. Other Administrative Action. 76

International Legal Problems. 76

1. Codification of International Law. 76
2. Greater Use of the International Court of Justice. 77
3. Rights and Duties of States 78
4. Charter of the Nürnberg Tribunal 79
5. The Crime of Genocide 79
6. War Criminals 80
7. Registration and Publication of Treaties. 81
8. Privileges and Immunities 81
9. Improvement of Procedures of the General Assembly 82

Other Organizational Action 83

1. Headquarters of the United Nations 83
2. Further Actions 86

II. The Security Council 88

Cases Considered by the Council 89

1. The Corfu Channel Case 89
2. The Greek Question. 91
3. The United Kingdom–Egyptian Dispute 91
4. The Indonesian Question 92
5. Status of the Iranian Question 95
6. Responsibilities Concerning Trieste 95

International Control of Atomic Energy 97

1. Security Council Consideration of the First Report 98
2. Consideration of Soviet Amendments and New Proposals . . . 99
3. Preparation of the Second Report. 100
4. Basic Issues 102
5. The Outlook 103

Armed Forces for the United Nations 104

Regulation and Reduction of Conventional Armaments . 108

1. Action in the Commission for Conventional Armaments 109
2. Commission Prospects 111

Admission of New Members 111

Rules of Procedure 113

III. The Economic and Social Council 114

International Trade Conference 115

Regional Economic Commissions 116

Other Economic Activities 120

Social Questions 121

Human Rights 122

Relations With Specialized Agencies 123

Nongovernmental Organizations 124

Former League of Nations Functions 125

Page

IV. Non-Self-Governing Territories and the Trusteeship System 126
Developments Affecting Dependent Areas 126
1. Information From Administering States 128
2. Action of the General Assembly 132
3. Specialized Agencies and Regional Commissions 132
Development of the Trusteeship System 133
1. The Trust Territory of the Pacific Islands 134
2. Other Mandated Territories: Nauru and South West Africa . . 137
3. The Trusteeship Council 138
4. Reports 139
5. Petitions 140
6. Visits 141
7. City of Jerusalem 141
Conclusion 142
V. The International Court of Justice 143
Cases Before the Court 144
Compulsory Jurisdiction 145
Advisory Jurisdiction 146
Activities in 1947 146
VI. The Secretariat 148
Nature and Problems 148
Functions 150
Organization 151
United States Interest in the Secretariat 152

Part C. Appendixes

I. Selected Resolutions Adopted at the Second Regular Session of the General Assembly 155
1. Threats to the Political Independence and Territorial Integrity of Greece 155
2. The Problem of the Independence of Korea 157
3. Establishment of an Interim Committee of the General Assembly. 159
4. Measures To Be Taken Against Propaganda and the Inciters of a New War 162
5. Study of the Problem of Voting in the Security Council 163
6. Relations of Members of the United Nations With Spain 163
7. Future Government of Palestine (with map) 164
8. Reports on World Economic Conditions and Trends . 187
9. Implementation of Economic and Social Recommendations 188

Page

10. Study of Factors Bearing Upon Establishment of an Economic Commission for the Middle East 188
11. Agreements With Specialized Agencies 189
12. Relations With and Coordination of Specialized Agencies and Work Programs of the United Nations and Specialized Agencies 190
13. False or Distorted Reports 192
14. Trade Union Rights (Freedom of Association) 193
15. Conference on Freedom of Information 195
16. International Children's Emergency Fund 195
17. International Cooperation for the Prevention of Immigration Which Is Likely To Disturb Friendly Relations Between Nations 196
18. Teaching of the Purposes and Principles, the Structure and Activities of the United Nations in the Schools of Member States 197
19. Question of South West Africa 198
20. Information From Non-Self-Governing Territories . . 199
21. Third Annual Budget and Working Capital Fund of the United Nations 202
22. Scale of Contributions 206
23. Tax Equalization 207
24. Composition of the Secretariat and the Principle of Geographic Distribution 208
25. Establishment of an International Law Commission . 209
26. Need for Greater Use by the United Nations and Its Organs of the International Court of Justice 217
27. Draft Declaration on the Rights and Duties of States . 217
28. Formulation of the Principles Recognized in the Charter of the Nürnberg Tribunal and in the Judgment Rendered by the Tribunal 218
29. Draft Convention on Genocide 219
30. Surrender of War Criminals and Traitors 220
31. Headquarters of the United Nations 220
32. Agreement Between the United Nations and the United States Regarding the Headquarters of the United Nations 222
33. United Nations Flag 234
34. United Nations Day 234
35. Place of Meeting of Third Regular Session of the General Assembly. 235

Page

II. Selected Resolutions Considered by the Security Council, With Selected Papers on Atomic Energy Control, Armed Forces, and Regulation of Armaments. 236

1. Resolution on the Corfu Channel Case 236
2. Resolutions on the Greek Case 236
3. Resolutions on the Indonesian Case 242
4. Summary of Principal Subjects To Be Incorporated in Specific Proposals for the International Control of Atomic Energy as Adopted at the Thirteenth Meeting of Committee 2 of the Atomic Energy Commission on April 10, 1947 245
5. Statement Made by the Representative of the United States at the Thirty-first Meeting of Committee 2 of the Atomic Energy Commission on August 6, 1947 . 246
6. Resolution Concerning the Implementation of the Resolutions of the General Assembly Regarding the Principles Governing the General Regulation and Reduction of Armaments and Information on Armed Forces of the United Nations 250
7. Plan of Work Adopted by the Commission for Conventional Armaments 252

III. Selected Addresses by United States Representatives 253

Faith and Fidelity—American Pledge to the United Nations 253

Address by Secretary of State George C. Marshall Before the American Association for the United Nations, September 14, 1947

A Program for a More Effective United Nations 261

Address by Secretary of State George C. Marshall Before the General Assembly, September 17, 1947

Measures To be Taken Against Propaganda and the Inciters of a New War 268

Address by Ambasador Warren R. Austin Before the First Committee of the General Assembly, October 23, 1947

Threats to the Political Independence and Territorial Integrity of Greece 280

Address by Ambassador Herschel V. Johnson Before the First Committee of the General Assembly, September 25, 1947

Page

The United Nations and the Threats to the Political Independence and Territorial Integrity of Greece 287

Address by Ambassador Herschel V. Johnson Before the General Assembly, October 20, 1947

Future Government of Palestine 291

Address by Ambassador Herschel V. Johnson Before the *Ad Hoc* Committee on the Palestinian Question of the General Assembly, October 11, 1947

False or Distorted Reports 294

Address by Mrs. Franklin D. Roosevelt Before the Third Committee of the General Assembly, October 24, 1947

Establishment of an Interim Committee 298

Address by the Honorable John Foster Dulles Before the First Committee of the General Assembly, October 14, 1947

Korea 303

Address by the Honorable John Foster Dulles Before the General Assembly, November 13, 1947

The Veto 308

Address by the Honorable John Foster Dulles Before the First Committee of the General Assembly, November 17, 1947

War Criminals, Quislings and Traitors 313

Address by the Honorable Charles Fahy Before the General Assembly, October 31, 1947

International Economic Cooperation 319

Address by the Honorable Willard L. Thorp Before the Second Committee of the General Assembly, October 8, 1947

Information Concerning Non-Self-Governing Territories . 328

Address by the Honorable Francis B. Sayre Before the General Assembly, November 1, 1947

Membership in the United Nations 332

Address by the Honorable Adlai E. Stevenson Before the First Committee of the General Assembly, November 7, 1947

IV. United States Representation in the United Nations 337

General Description 337

United States Representatives to the United Nations, Its Organs, Subsidiary Organs, and the Specialized Agencies, 1947 339

United States Representatives on Main Committees of the United Nations General Assembly, Second Regular Session, New York, September 16–November 29, 1947 . 342

V. Membership and Organization of the United Nations and Specialized Agencies . . . . . Page 344

Membership of Principal Organs of the United Nations . 344

Membership of Specialized Agencies in Relationship With the United Nations, December 31, 1947 346

Charts 351

1. United Nations 351
2. General Assembly 352
3. Security Council 353
4. Economic and Social Council 354
5. Trusteeship Council (International Trusteeship System) 355
6. Secretariat 356

VI. Documents and Publications Concerning the United Nations 357

Part A

THE SECOND YEAR

OF THE

UNITED NATIONS

Facing Tests

THE UNITED NATIONS was the object of great concern and anxious assessment during its second year of existence. Despite hardships, it has emerged with increased vitality and strength by meeting its responsibilities.

The anxiety regarding the United Nations reflected equally the reliance placed upon it by its Members and the doubts which had developed during the year that the United Nations could measure up to its responsibilities in the difficult international circumstances. Earlier prospects of rapid transition to settled world conditions faded away, and with them the optimism following the military victory was largely lost. As the existing realities of the international situation confronted the United Nations with difficult tests, however, a new determination gradually emerged on the part of the great majority of the Members to give faithful effect to the Charter. The firmness of that determination was increasingly shown by the majority of the Members in the latter months of the year.

Fundamentally, the United Nations had to choose in 1947 between two risks in shaping its course: the risk if it avoided decisions and recommendations on the larger issues and engaged in quiet work on the lesser controversial matters, and the risk if it boldly took hold of the troubles pouring in upon it and made realistic decisions and recommendations.

The first alternative might promise some moderation of the international atmosphere by not entailing heated debate on major issues in the world's great forum of opinion; it thereby might seem to avoid any possible hazard to the existence of the United Nations. That course would assuredly have doomed the United Nations to dealing only with matters of secondary account and to betrayal of the vital principles and purposes of its Charter.

The United Nations chose the second alternative. The organization was designed to deal with troubles—problems on which Members feel strongly and on which they are unable through their own direct and other diplomatic relations to reach a conciliation of views and agreement. Thousands of problems and questions have been handled every year in the diplomatic relations of Members with other Members,

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and this will continue. The United Nations is neither an organization to replace direct and other relations among Member states nor a convenient depository to be filled with matters that nations have not fully tried to handle by their own efforts. It can help Members to carry out programs of action agreed upon by various Members and of such a nature as to enable the United Nations to render effective service. For the United Nations, however, to attempt to deal with all of the international problems of its 57 Members would of course burden it beyond all possible capacity for effectual work in any field. On the other hand, if the United Nations declined to face existing international difficulties within the range of its responsibilities under the Charter, its own work would be fruitless, and it could not long survive.

It became apparent as the months of 1947 passed that several conditions were responsible for the hardships confronting the United Nations. Members had not fully appreciated that the total of what the United Nations was being asked to do was too great if the outcome was always to be as sound and well judged as the complexities required. Sometimes it was urged to consider matters not yet legitimately in need of its attention since direct means of adjustment had not been thoroughly tried by the Members immediately involved. Cases were brought occasionally to an inappropriate organ. With good will and additional experience these conditions should be corrected.

A more serious condition was the tendency shown by some Members to utilize the United Nations for propaganda or other objectives of purely national advantage rather than to carry out the principles and the purposes of the Charter for the common good. Opposition to the views of the overwhelming majority on a number of problems was maintained by a few of the Members even after recommendations had been made. Unanimity among the major powers was the exception, not the rule, on certain of the most important of the matters within the scope of the United Nations during the year. This ordinarily did not operate to preclude action, but it exercised deep influence in several important instances upon the consideration of the problems and upon the conditions affecting the carrying out of the decisions or recommendations reached.

To build common viewpoints and to create the bases of full cooperative relations among all Members will require genuine and unflagging efforts by all concerned, both within and outside the scope of United Nations activities. The course pursued by the United Nations during the important year just past showed deep awareness of this fact. The most important trend in the work of the United Nations in the existing circumstances did not concern any specific problem; it was rather a determination on the part of the overwhelming majority of the Mem-

bers to put the Charter actually to work and to insist that the obligations of each Member under the Charter be faithfully observed.

The state of affairs that rendered it necessary for the United Nations during 1947—though having little experience as an organization and still lacking full machinery—to choose between risks arose from the widened economic, social, and political difficulties in international relations as a whole. Since the United Nations cannot rightly be understood except in the light of world events, a brief survey of these difficulties is essential.

Framework of Events, 1947

How the economic situation in vast areas of the world developed into its present dangerous condition is current knowledge. It arose partly from other than economic and social circumstances. It was the product of disruptions and dislocations resulting from the war, piled upon prewar maladjustments. Difficulties attained such dimensions early in 1947 that confidence and hope showed unmistakable signs of weakening under the strain. Immediate help, accordingly, had to be given by the United States and by others in position to do so. Emergency relief was extended by the United States during the year to Greece, Turkey, France, Italy, Austria, and China. More basically, a cooperative plan to build stability was projected between the United States and 16 nations of western Europe by a European Recovery Program. Five of these states are not Members of the United Nations. Although the Soviet Union and the states of eastern Europe, several of which are Members of the United Nations, were invited to take part in this cooperative program, they did not do so, and Communist leaders in these countries and elsewhere have since declared their opposition to the program.

The protracted delay in arriving at peace settlements and the failure of the major powers to pursue common policies as to those settlements were fundamental in the existing tension and difficulty. By the Charter of the United Nations, the responsibility for making the peace settlements is left to the victor states. The delay in discharging this responsibility, like the specific questions at issue in the settlements themselves, had far-reaching effects upon international political, economic, and security relations. Not until September 1947 did the peace treaties with Italy, Bulgaria, Hungary, and Rumania (and likewise with Finland, with which the United States had not been at

war) become effective. The seventh meeting of the Council of Foreign Ministers in London later in 1947 failed to reach agreement upon the principal issues of the settlements with Austria and concerning Germany. And, despite a considerable amount of cooperation among most of the states directly concerned, the establishment of peace with Japan remained in the preliminary stage of trying to agree on the procedure to be followed in drafting the treaty. The essential bases of postwar world order necessarily must continue incomplete until these settlements are effected.

The conduct of certain governments in eastern Europe constituted a further fundamental source of problems. Assistance to guerrillas in Greece was given by its three northern neighbors. Hungary was the scene of a Communist seizure of power. The Communist regimes in a number of eastern European countries ruthlessly eliminated opposition parties. Communist parties in various countries created disorder which disturbed international relations.

The pressure of non-self-governing peoples for rapid attainment of self-government or independence was a development leading to extensive readjustments in world relations. Palestine was a factor of international anxiety and of strain among nations normally having amicable relations. India upon assuming self-government during the year divided by consent into two states, with several political entities left to decide their course. While this change was accompanied by some disturbance, more serious clashes in Kashmir developed as the year was closing. Developments in Indonesia reached the Security Council in mid-year as a matter of concern for the maintenance of peace. There was also unrest in Indochina.

Elsewhere in the Far East, ferment and change occurred. China was the scene of continuing civil strife, and in varying degree there was strife in Burma and Siam. Despite repeated efforts by the United States to obtain the collaboration of the Soviet Union in establishing an independent Korean state, Korea remained divided under separate American and Soviet military occupation. This situation exerted a dividing effect instead of advancing the unity of Korea under independence and its own national government, to which the occupying powers and also the United Kingdom and China are pledged.

Grim facts did not entirely characterize the year, though they largely obscured the more favorable developments. Aside from the encouragement stemming from the general agreement on tariffs and trade described below in this report, advancement in domestic economic reconstruction was evidenced in various countries. The specialized international agencies, including among others the International Bank for Reconstruction and Development and the Inter-

national Monetary Fund, the Food and Agriculture Organization, the International Labor Organization, the Civil Aviation Organization, and the United Nations Educational, Scientific and Cultural Organization, were all active and increasingly effective. Progress on the refugee, health, and trade organizations continued, and some advances were made in international cooperation in the fields of telecommunications and shipping. The American republics undertook to bulwark international peace and security by the treaty of reciprocal assistance concluded at Rio de Janeiro. Governments in an increased number of countries became relatively stabilized. Security and political, economic, and social development in the Pacific were enhanced by the establishment of trusteeship over the former Japanese mandated islands, under United States administration, and over Nauru, now under administration by Australia on behalf of New Zealand and the United Kingdom as well as of Australia itself.

The United Nations in the Mainstream of World Politics

While the international situation during 1947 is only sketched above, the broad lines of the developments affecting the United Nations and its Members are apparent. Its Members individually faced the need, in a year that began with bewilderment and was beset with trouble, to understand the nature of the issues involved, to find a sure sense of direction, and to determine a clear program. Progress in these respects was being made as the year closed. The pages of this Report indicate the assistance which the United Nations is giving and can give to such progress. To contribute to that broad objective was a principal United States policy in the United Nations during this period.

Among the problems of critical urgency placed before the General Assembly were several on which the United States introduced proposals. One principal proposal concerned the threats to the maintenance of the political independence and territorial integrity of Greece. It was made to the Assembly since the Council was prevented by Soviet vetoes from taking necessary decisions to stop the threats. A majority of the members of the Security Council, basing their conclusions on the on-the-spot evidence found by the Commission of

Investigation established early in the year by the Council, found that for these threats the three northern neighbors of Greece—Yugoslavia, Bulgaria, and Albania—were responsible. The Assembly moved promptly to recommend steps to the three northern neighbors and Greece for restoring peaceful and stable relations. To encourage forward-looking settlement and to facilitate genuine cooperation in all quarters, the Assembly, while taking account of the conclusions of the majority of the Security Council, did not invoke fully its own great powers of condemnation for past acts. Rather it urged the three northern neighbors to do nothing in the future which would aid the guerrillas in Greece. The new Balkan Committee, set up by the Assembly to assist in carrying out its recommendations and to report on their fulfilment, began work in Greece in December 1947. By the close of the year, however, Greece's northern neighbors had not cooperated with this Committee, and they had continued to extend aid to the guerrillas in various ways.

The United States furthermore proposed that the General Assembly make recommendations for the establishment of a Korean Government through elections held with United Nations assistance and for the withdrawal thereafter of foreign troops within the shortest possible time. A resolution to this effect was adopted, and the Temporary Commission on Korea set up by the Assembly arrived in Korea early in 1948.

Another proposal advanced by the United States was for the establishment of an Interim Committee of the General Assembly, on a trial basis until the next annual session in the autumn of 1948. This Committee may consider situations and disputes affecting friendly relations among nations, make necessary studies in advance for the assistance of the next Assembly, and make continually available certain facilities of the Assembly for the promotion of international cooperation. The main objective of this proposal was to enable the Assembly to discharge more fully its Charter functions in regard to friendly relations and to the maintenance of international peace and security without infringing upon the primary responsibilities of the Security Council in this vital field.

The United States also initiated a proposal for a full study of the operation of the Charter provisions for voting in the Security Council, mindful that abuse of the veto power had characterized the experience of the Security Council, especially during the past year. The United States Delegation in this connection urged, among other points, consultation among the permanent members of the Security Council. In making the proposal, the United States expressed the willingness of this Government to liberalize the veto and to eliminate it in regard

to voting on matters of pacific settlement and such questions as admission to membership in the United Nations.

Among the major problems toward the solution of which the United States Representatives did not present the initial proposals, but took active part in arriving at recommendations, was Palestine. The Assembly recommended the early establishment of two independent states, one Arab and one Jewish, with the city of Jerusalem placed under a special international regime, and with an economic union covering the whole area. The question of Palestine was the occasion for the First Special Session of the United Nations, April 28 to May 15, 1947, and was fraught, especially in the Annual Session, with extraordinary difficulties. The main objective of the Government of the United States on this problem was to assure the fullest possible consideration by the Assembly of all practicable alternative solutions and the reaching of a carefully reasoned decision expressing the best judgment of the United Nations as a whole on the wisest disposition to be made of this small territory, administered as a mandate by the United Kingdom since shortly after the First World War.

Among other significant advances were the Assembly's recommendations in regard to non-self-governing territories, economic, social, and humanitarian problems, and the development of international law.

The Assembly also considered the subject of propaganda. The original resolution proposed on propaganda had extraordinary implications. An exceedingly strong effort was made by the Soviet Union to achieve a decision based upon a number of allegations as to the motives and misinterpretations of the philosophy of several nations, including especially the United States. Most important was the attempt to win a prohibition of "war propaganda" in any form, backed by criminal penalties. These efforts clarified for all observers the nature of certain forms of propaganda and were met by various delegations, including the United States Delegation, with views based upon the fundamental character and necessity of freedom of speech. The outcome was a resolution rejecting the proposed undermining of freedom of speech and pressing toward better relations between states.

A unanimous welcome was extended by the Assembly to the proposals advanced to provide the United Nations with permanent buildings in accordance with the headquarters agreement between the United States and the United Nations. Needless physical handicaps upon the functioning of the United Nations will in considerable measure be removed by the action projected in the resolution adopted this year, in regard to which the United States Delegation took an active part pursuant to the duty of host country. A non-interest-bearing loan of $65,000,000 from the United States was projected by the United

States Delegation, subject to congressional approval, to make the building possible.

The substantive activities of the Security Council, the Economic and Social Council, and the Trusteeship Council were also numerous. Their character can only be indicated by the following brief notes.

In the case concerning the Corfu Channel, arising from the existence in an international waterway of a mine field that caused damage to two British destroyers, the Security Council recommended that the two parties, the United Kingdom and Albania, refer their dispute to the International Court of Justice. In considering the United Kingdom–Egyptian dispute, the Council did not reach a decision, and the matter remains suspended. The Council acted promptly on the Indonesian question by calling upon the two parties, the Netherlands and the Republic of Indonesia, to cease hostilities and to settle their differences by peaceful means. The good offices of the Council were offered to the parties; a three-nation Good Offices Committee of the Security Council is in Indonesia to assist the parties in ironing out their difficulties. In the further matter of the appointment of a governor of the Free Territory of Trieste, the Council has so far been unable to agree upon any individual to assume this important post. Trieste meanwhile continues under military occupation, divided into two zones, the United Kingdom and the United States occupying one and Yugoslavia the other.

The Economic and Social Council, aside from its contribution to the development of the International Trade Organization and the general agreement on tariffs and trade, has undertaken promising steps toward economic improvement through the Economic Commission for Europe and the Economic Commission for Asia and the Far East. It was also active in matters of social welfare, extension of aid to children through the International Children's Emergency Fund, drafting of a bill of human rights, and preparations for a conference on freedom of information to be held in March 1948. In their participation the Representatives of the United States demonstrated the deep interest of this Government in these matters. All departments and agencies of this Government directly concerned have collaborated in determining the policies expressed in behalf of the United States.

The developments in regard to dependent areas invoked the traditional interest of the United States in the progressive advancement of non-self-governing peoples toward self-government. Much attention was devoted by the General Assembly to the information to be requested from the states administering non-self-governing territories. Following approval of several trusteeship agreements, the Trusteeship Council was established during the past year and held two sessions. Trusteeship agreements were approved for the trust Territory of the

Pacific Islands, administered by the United States, and for Nauru, which is being administered by Australia. Ten trusteeship agreements are now in effect. The Council is preparing a statute for the City of Jerusalem, pursuant to the resolution of the General Assembly on Palestine, by which Jerusalem is to be administered by the Trusteeship Council on behalf of the United Nations under a special international regime.

It is also noteworthy that during the year many of the Members of the United Nations expressed growing desire that the International Court of Justice should be utilized more fully. A resolution urging resort to the Court, both in regard to legal issues between states and in regard to interpretation of the Charter, was adopted.

Certain disappointments, however, must be recorded. The lack of agreement on international control of atomic energy for peaceful purposes is of deep concern. The failure to agree to place armed forces at the disposal of the United Nations for the enforcement of peace is a further disappointment. The developments on these matters are presented later in this Report with an analysis of the main differences of view that existed at the close of the year. Likewise the slow progress in regard to regulation and reduction of conventional armaments is considered below.

United States representation in the United Nations continued throughout the past year to be broadly representative of the Nation as a whole. The United States Representatives and Deputy Representatives are named in full in an appended paper. On the Security Council, Warren R. Austin, the United States Representative at the Seat of the United Nations, was the United States Representative, and Herschel V. Johnson served as Deputy United States Representative, both with the rank of Ambassador. By appointment during the year, Willard L. Thorp, Assistant Secretary of State for economic affairs, became United States Representative on the Economic and Social Council, with Leroy D. Stinebower as Deputy Representative. Francis B. Sayre was United States Representative on the Trusteeship Council, with Benjamin Gerig as Deputy Representative.

The United States Delegation to the Second Regular Session of the General Assembly was composed of five Representatives and five Alternate Representatives. It included, in addition to several private citizens of much experience in international affairs, the United States Representatives on the Security Council, the Economic and Social Council, and the Trusteeship Council. This insured in the Delegation continuity of policy and full knowledge of previous United Nations developments. Members of the Congress did not serve on the Delegation this year, a departure from the practice followed during the two parts of the first annual session of the United Nations. This

was determined in consultation with congressional leaders and with their approval.

The Secretary of State, George C. Marshall, served as Chairman of the Delegation, and in his absence Warren R. Austin presided as Senior Representative. They, together with Herschel V. Johnson, Mrs. Franklin D. Roosevelt, and John Foster Dulles, of New York, constituted the Representatives on the Delegation. The Alternate Representatives were Charles Fahy, former Legal Adviser of the Department of State; Willard L. Thorp, Assistant Secretary of State for economic affairs; Francis B. Sayre; Adlai E. Stevenson, of Illinois; and Maj. Gen. John H. Hilldring, former Assistant Secretary of State for occupied areas, who was appointed after illness necessitated the resignation of Miss Virginia C. Gildersleeve.

The Delegation was assisted in New York by advisers and assistants drawn from the Department of State, the United States Mission to the United Nations, and other agencies of the Government. These officials brought to bear in the work of the Delegation the full resources of information and of expert competence available in the parts of the Government most concerned with the problems under consideration in the General Assembly.

Part B

PROBLEMS CONSIDERED

BY THE

PRINCIPAL ORGANS

I. The General Assembly

THE GENERAL ASSEMBLY is the only principal organ of the United Nations consisting of all the Members, now numbering 57. It is authorized to discuss any questions or matters within the scope of the Charter or relating to the powers and functions of any United Nations organs. Although its powers are those of study, debate, and recommendation, without power of enforcement, the Assembly, because of the broad range of its responsibilities and its ability to focus world public opinion and moral judgment, serves as the world's general forum of opinion, the primary vehicle for the establishment and review of major United Nations policies, and the directing center for the further development of the organization of the United Nations. Its influence upon the course of international relations is immense, and accordingly the debate in it between contending views is intense.

The Charter assigns to the General Assembly important duties in the political field. Subject to the sole qualification that the General Assembly may not make recommendations with regard to any dispute or situation with which the Security Council is dealing, the Assembly may discuss any questions properly brought before it relating to the maintenance of international peace and security and may make recommendations with regard to such questions. If action is necessary, the Charter provides that any such question shall be referred by the Assembly to the Security Council. More specifically, subject to the same qualification, the Assembly is authorized to recommend measures for the peaceful adjustment of any situation, regardless of origin, deemed likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the purposes and principles of the Charter. The Assembly may also consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing the regulation of armaments, and may make appropriate recommendations; and it is charged to make recommendations for the promotion of international cooperation in the political field and for the encouragement of the progressive development of international law and its codification.

The General Assembly, moreover, is empowered to initiate studies and to make recommendations for the purpose of promoting international cooperation in the economic, social, cultural, educational, and health fields and of assisting in the realization of human rights and fundamental freedoms for all. It also exercises final authority with regard to trusteeship agreements for non-strategic areas, including the approval and alteration of such agreements so far as the United Nations is concerned. The Economic and Social Council and the Trusteeship Council carry out their functions in important respects under the authority of the General Assembly.

The reviewing functions of the Assembly are exercised primarily through the consideration of reports from the other principal United Nations organs and otherwise through its power to approve the budget of the organization. The General Assembly also, upon recommendation of the Security Council, admits new Members. It elects the non-permanent members of the Security Council. In conjunction with the Security Council, it elects the members of the International Court of Justice and the Secretary-General. It also plays an essential part in amendment of the United Nations Charter.

The General Assembly meets in regular annual session each September and, when necessary, in special session. To perform its wide range of functions, it is organized in six main committees dealing with the following categories of questions: First, Political and Security; Second, Economic and Financial; Third, Social, Humanitarian, and Cultural; Fourth, Trusteeship; Fifth, Administrative and Budgetary; Sixth, Legal. The President of the Assembly, the Chairmen of these committees, and the seven Vice-Presidents of the Assembly (who by general understanding have included a representative of each of the five major powers) make up a general or steering committee, which organizes the work of the Assembly and assists the President. Additional committees are established by the Assembly to deal with specific problems as occasion requires. Such a committee, for example, was created this year to deal with the question of Palestine.

The General Assembly was in session twice during the year 1947. In its first special session, held between April 28 and May 15, the Assembly created the United Nations Special Committee on Palestine and established its terms of reference. In its second regular session, which opened on September 16 and adjourned on November 29, it took action on a full agenda resulting in 93 resolutions, several of them especially significant. Both sessions were held in New York at the temporary headquarters at Flushing Meadows where plenary meetings were held and at Lake Success where most of the committees met.

In the following pages of this chapter the problems of largest importance considered by the General Assembly are described briefly; the participation of the United States representatives is indicated; and the recommendations and decisions made by the General Assembly are given. The verbatim text of the resolution adopted on each of the problems is contained in the appendixes to this Report.

POLITICAL AND SECURITY PROBLEMS

1. Independence and Territorial Integrity of Greece

The problem of Greek independence and security proved to be one of the most serious facing the United Nations in the second year of its existence. Recognizing the potential dangers in this question for the future of the United Nations and the future peace of the world, the United States made every effort to afford constructive leadership in the United Nations toward effecting a solution.

The problem was considered both by the General Assembly and the Security Council, and for convenience its entire consideration is presented here. It arose first in the Security Council.

THE SECURITY COUNCIL AND THE GREEK PROBLEM

On December 3, 1946, the Greek Government, in a communication to the Secretary-General of the United Nations, charged that the Greek guerrillas were receiving substantial support from Albania, Bulgaria, and Yugoslavia. On December 19, 1946, the Security Council unanimously approved a resolution establishing a Commission of Investigation composed of representatives of the 11 members of the Security Council. This body was to make an on-the-spot investigation, study the causes of the disturbing situation along the northern frontiers of Greece, and make a report with recommendations to the Security Council.

THE COMMISSION OF INVESTIGATION

The Commission of Investigation held 91 meetings in Athens, Salonika, Sofia, Belgrade, Geneva, and New York between January and July 1947. The Commission and its 7 field investigating teams made 33 field investigations in various parts of Greece and in Bulgaria, Yugoslavia, and Albania, and heard 238 witnesses, in addition to statements of the governments concerned and of various individuals and nongovernmental organizations. Mark Ethridge, publisher of the *Courier Journal* and Louisville *Times*, served as United States Representative on this Commission.

In its Report to the Security Council, signed on May 23, 1947, the Commission, by a majority of 8 of the 11 members, found on the basis of the evidence that "Yugoslavia, and to a lesser extent, Albania, and Bulgaria," had "supported the guerrilla warfare in Greece." The Representative of France abstained in the vote on these conclusions, while the Representatives of the Soviet Union and Poland found that the "monarcho-fascist" Greek Government was solely responsible for all the difficulties along the northern Greek frontiers.

The Commission found that assistance by Yugoslavia to the guerrillas took the form of training refugees from Greece within the borders of Yugoslavia; recruiting and dispatching them to Greece for action with the guerrilla units there, as well as supplying them for this purpose with arms, supplies, transport, and guides; and providing an avenue of escape for guerrillas fleeing from the Greek Government forces. At a camp at Bulkes in Yugoslavia, a specialized course was established designed to give theoretical and practical training in guerrilla warfare. At this camp the refugees were subjected to political indoctrination and propaganda looking toward the overthrow of the Greek Government.

The Commission found that the Bulgarian Government provided aid to the Greek guerrilla movement, principally in the form of assistance in entering and leaving Bulgarian territory, in the provision of transportation for guerrillas crossing Bulgaria to and from Yugoslavia, and in hospitalization of guerrillas wounded in Greece. Furthermore, the evidence submitted to the Commission indicated that in certain instances Greek guerrillas were given arms in and near Sofia.

Moreover the Commission found that Albania also had assisted the guerrillas. Prior to the establishment, in the spring of 1946, of the course for guerrilla leaders in the camp at Bulkes in Yugoslavia, the Albanian Government had operated a camp at Rubig in which Greek refugees received political instruction as well as practical and theoretical military training. Albania had granted assistance to Greek guerrillas by providing arms and ammunition as well as by making available routes of entry, guides, and liaison assistance for guerrilla groups returning to Greece from Albania and Yugoslavia.

The Commission also stated that "the Yugoslavian and Bulgarian Governments by speeches of responsible officials and articles in the press, have . . . promoted a separatist movement among the Slav-Macedonians in Greece".

With only the Representatives of the Soviet Union and Poland dissenting, the Commission proposed in its Report that the Security Council establish a new Commission to investigate frontier violations, hear complaints, to use its good offices for the settlement of disputes concerning frontier violations, to make studies and investigations, and

to report to the Security Council. The Commission, by a majority of nine, proposed that "in the area of its investigation future cases of support of armed bands formed on the territory of one State and crossing into the territory of another State, or of refusal by a government in spite of the demands of the State concerned to take all possible measures on its own territory to deprive such bands of any aid or protection, should be considered by the Security Council as a threat to the peace within the meaning of the Charter of the United Nations".

THE SECURITY COUNCIL'S DISCUSSION

The Security Council discussed the Report of the Commission from June 27 to August 29, 1947. On July 29, the Soviet Representative cast a veto against an American resolution based on the recommendations of the Investigating Commission and supported by nine members, in all, of the Security Council. Throughout the debate, in which Albania, Bulgaria, Yugoslavia, and Greece were allowed to participate as parties in interest, the Soviet and Polish Representatives challenged the validity of the Investigation Commission's findings, sought to absolve the neighbors of Greece of any imputation of improper conduct, and argued that the fault for the disturbed situation lay in the internal affairs of Greece, in the policies of her government, and in alleged intervention in Greece's internal affairs from other foreign sources. The Bulgarian, Yugoslav, and Albanian spokesmen took the same position and showed particular apprehensiveness over the possibility that the Security Council might establish a semi-permanent border commission which, they claimed, was unnecessary and would endanger their sovereignty. On August 4 and 6, Soviet and Polish draft resolutions, respectively, were voted on and rejected by votes of nine to two.

The Soviet proposal sought to blame Greece for the border incidents, to have all foreign troops or military personnel recalled from Greece, and to set up a Commission for the sole purpose of supervising "foreign economic assistance" to Greece. The Polish draft avoided the unconvincing charge that Greece was responsible but offered recommendations in such generalities that it could hardly be considered as a serious basis for the Council to act effectively on the problem.

At the direction of the Security Council, the Investigating Commission, prior to its departure from Greece, established on April 30, 1947, a Subsidiary Group to continue the investigation of new border incidents in the disturbed area and to keep the Security Council currently informed of developments. Throughout the summer of 1947, while the majority of the Council sought to agree on measures for peaceful settlement of the disturbed Balkan situation and for curbing

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the pressure on Greece from her "northern neighbors" which was generally recognized to exist, the Subsidiary Group carried on its investigations. This group, like the Investigation Commission, was to have attached to it, for working purposes, liaison officers of Albania, Bulgaria, Yugoslavia, and Greece. In one way or another all three of the "northern neighbors", while publicly professing their respect for the United Nations Charter and a desire to cooperate with the Security Council, refused in fact to cooperate with the Subsidiary Group or to allow it to include investigations on their soil even when the Group sought to investigate incidents of alleged violations of their frontiers by Greece. On the other hand, Greece cooperated with the Subsidiary Group.

As the Council continued its deliberations, reports from the Subsidiary Group indicated that the assistance to the guerrillas by Greece's northern neighbors was increasing, while the Group was not permitted to perform its functions on their territories.

Evidence reported by the Subsidiary Group indicated that in the Angistron Lipa incident on the Greek-Bulgarian frontier, in April 1947, some 135 Greek guerrillas took refuge across the Bulgarian frontier, were taken to the "refugee" camp at Berkovitsa, and some time later, having been armed at the frontier, were returned to Greece. In the Metaxades incident in June, some 100 guerrillas crossed the Bulgarian frontier. In the Kouka-Palaion-Theitnes incident of March 31–April 1, 1947, some 400 to 500 guerrillas crossed into Yugoslavia where they were sheltered, guarded, and supplied with food, arms, and ammunition for their return to Greece. While the Security Council of the United Nations was making every effort to conciliate the situation, a report of the Subsidiary Group indicated that in the Konitsa incident, July 11–13, some eight to nine guerrilla battalions, estimated at 1,000 men, after having been sheltered and supplied both in Yugoslavia and Albania, crossed the Albanian frontier in the Radat area to attack in the Prosilion region, were driven back into Albania, and crossed into Greece again for further action.

The situation was regarded as so serious that eight other members of the Security Council, agreeing with a United States draft resolution, sought to have the Council conclude that this assistance constituted a threat to the peace within the meaning of the enforcement chapter of the Charter (chap. VII), and to call upon the countries to cease and desist. This resolution was also vetoed by the Soviet Union on August 19. Even a somewhat milder Australian resolution, defining the situation as a threat to peace and calling upon all four governments involved to "cease all acts of provocation", was

vetoed on the same day by the Soviet Union though nine members of the Council supported it.

In view of the inability of the Security Council to take action for the protection of Greece, the United States considered it essential to place the matter before the General Assembly. Since, under the provisions of the United Nations Charter, the General Assembly cannot make recommendations regarding a situation, such as the Greek question, in respect of which the Security Council is exercising its functions unless the Council should so request, the United States made a proposal that such a request be made. The proposal was defeated in the Security Council on September 15 through veto by the Representative of the Soviet Union. The only alternative was to seek removal of the Greek question from the Security Council agenda. This required only a vote of seven as a procedural matter. The resolution to this effect was adopted by a vote of nine to two.

ACTION OF THE GENERAL ASSEMBLY

In his opening statement before the General Assembly on September 17, the Secretary of State expressed this Government's deep concern over the seriousness of the threat to Greece's independence. He stressed that the failure of the United Nations to protect the integrity of one small state would place in jeopardy the security of all small states. The inability of the Security Council to take action passed a grave responsibility to the General Assembly. If United Nations functions for the maintenance of peace were to be upheld, the Assembly would have to step into the breach with the fullest powers it could muster.

On the basis of the evidence accumulated on the case during Security Council handling, the United States presented a draft resolution embodying a combination of the two resolutions it had previously developed in the Security Council on June 27 and August 12. When the matter was taken up by the Assembly's First Committee (Political and Security), it was generally assumed that suitable arrangements could be made to permit representatives of Albania and Bulgaria to present the views of their Governments, nonmembers of the Organization. When the Committee did not receive a satisfactory reply from either of those states to its inquiry whether their governments were prepared to agree to apply the principles and rules of the Charter in the settlement of the Greek question, it was decided that they would nevertheless be heard but without the full powers of discussion of Member states.

After thorough discussion, during which the Soviet Union, Poland, Yugoslavia, and a few other eastern European states again, as in the Security Council, called into question the validity of the findings of

a majority of the Security Council's Investigation Commission and argued that Greece was responsible for the troubled Balkan situation, the First Committee proceeded to amend and develop the United States draft resolution.

The final resolution as adopted by the Assembly on October 21 by a vote of 40 to 6, with 11 abstentions, takes account of the record of Security Council proceedings on the matter and of the Commission of Investigation's majority finding that Albania, Bulgaria, and Yugoslavia had given assistance and support to the Greek guerrillas, calls upon those countries to do nothing which could furnish such aid and assistance, and calls upon all four Balkan states involved to settle their disputes peaceably. Additional recommendations call for the early establishment of normal diplomatic and good neighborly relations among the four states, for the establishment of effective frontier control machinery by conventions among them, and for their cooperation in handling refugee and minority problems.

The resolution established an 11-nation Special Committee of the Assembly consisting of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, Poland, the United Kingdom, the United States, and the Union of Soviet Socialist Republics, "seats being held open for Poland and the Union of Soviet Socialist Republics" who had publicly stated their refusal to participate in the work of the Committee. This Committee is to make investigations and report to the United Nations on whether Albania, Bulgaria, and Yugoslavia do nothing in fact which could furnish aid or assistance to the guerrillas and on the compliance of the countries concerned with the Assembly recommendations as a whole. The Committee is also to be available to assist the four governments in the implementation of the Assembly recommendations. Of particular importance is the power granted to the Committee in the resolution to recommend the calling of a special session of the Assembly if, in its opinion, further action on the matter in question by the Assembly is necessary prior to the latter's next regular session. The Committee is also empowered to make interim reports to the Secretary-General and to the Members of the United Nations, though it can make recommendations for action only to the Assembly itself.

On October 20, the United States Representative stated in the Assembly:

"If it should become necessary to call a special session of the General Assembly to consider threats to the political independence and territorial integrity of Greece, the Government of the United States would be prepared to cooperate with other members of the United Nations in putting into effect whatever measures are recommended by the General Assembly for the protection of Greece."

The Special Committee assembled at Athens late in November and then proceeded to establish itself at Salonika, its headquarters. It has already adopted, subject to the cooperation of the four governments concerned, a resolution advanced by the United States envisaging the establishment, under the Committee, of border observer teams to observe and report "to what extent good neighborly relations exist" along both sides of Greece's frontiers with her three northern neighbors. The American Representative on the Committee is Alan G. Kirk, Ambassador to Belgium.

UNITED STATES AID TO GREECE

On February 24 the British Government informed the Department of State that it would be obliged to discontinue the financial, economic, and advisory assistance it had been giving to Greece. On March 3 the Greek Government addressed an urgent appeal to the United States for economic assistance. President Truman presented to Congress on March 12 formal proposals for emergency aid to Greece.

The aid program projected at that time was explained by Ambassador Austin in statements before the Security Council on March 28 and April 10. United States aid to Greece was authorized in Public Law 75, 80th Congress, 1st session, and was approved May 22. The preamble of the law contains several clauses stating that the United States aid is in support of the principles and purposes of the United Nations. Section 5 of the act provides that the United States aid shall be withdrawn *inter alia* "If the Security Council finds (with respect to which finding the United States waives the exercise of any veto) or the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable".

In November the United States submitted a report on the progress of the United States program for aid to Greece in a communication transmitted to the Secretary-General of the United Nations by the United States Mission to the United Nations.

2. Establishment of the Independence of Korea

The complete inability of the Governments of the Soviet Union and of the United States to agree on the points essential to the fulfilment of the rightful claims of the Korean people to independence led the United States to lay this problem before the General Assembly.

RISE OF THE PROBLEM

In Moscow in December 1945, the Foreign Ministers of the United States, United Kingdom, and Union of Soviet Socialist Republics

concluded an agreement, to which China later adhered, designed to bring about the independence of Korea. This agreement provided for the establishment of a joint U.S.–U.S.S.R. Commission to meet in Korea and, through consultation with Korean democratic parties and social organizations, to prepare plans for the formation of a Provisional Korean Government. The Joint Commission was then to consult with the Provisional Government on methods of giving aid and assistance to Korea, any agreement reached being submitted for the approval of the Four Powers. It was at that time assumed that these measures would involve a Four Power trusteeship of Korea for a period up to five years. The agreement provided also for an immediate conference between representatives of the American and the Soviet Military Commands in Korea to establish economic and administrative coordination between the two zones.

In a preliminary conference in January 1946 between representatives of the American and Soviet Commands, the United States sought to remove the artificial and unintended barrier between the two zones at the 38th parallel and to treat the country as an economic and administrative whole. The Soviet Command, however, insisted that the zones be treated as separate and distinct military, economic, and administrative units, and few concrete steps toward coordination of the two zones were achieved. With each succeeding month, the industrial north with one third of the population and the agricultural south with two thirds of the population became more completely divided.

Although the Joint U.S.–U.S.S.R. Commission, which met from March to May 1946, had the initial task of assisting in the formation of a provisional Korean government, the Soviet Representatives frustrated this attempt at the outset by making it clear that they would not consult with any Korean parties or groups which had at any time voiced opposition to trusteeship. The United States Delegation could not accept this proposal, since it would deny the right of freedom of expression of a liberated people. After the Commission had adjourned without results, correspondence over a period of a year finally led to an agreement under which the Joint Commission resumed its meetings in May 1947. According to this agreement, the Joint Commission was to consult with any group which declared that it would support the Moscow Agreement and the work of the Commission. Some initial progress was made. Democratic parties and social organizations of north and south Korea were invited to submit applications to consult with the Commission. To this invitation 460 groups responded: 38 of these, all representing the Communist-sponsored Democratic People's Front, were from north Korea; 422 were from south Korea and represented all shades of democratic opinion, including the Democratic People's Front.

On July 2, 1947, however, in spite of the recent agreement, the Soviet Delegation reverted to its earlier position and refused to consult with any party which had ever opposed trusteeship. This, in effect, would have excluded from consultation all political parties in south Korea which were not members of the Democratic People's Front. In an effort to clarify the situation and to enable the two Governments to consider what further steps might usefully be taken to achieve the aims of the Moscow Agreement, the United States on August 11, 1947, requested that the Joint Commission submit by August 21 a report on the status of its deliberations to that time. All efforts of the Commission to produce such a report proved unavailing, however, the two Delegations being able to agree only that their divergence of views precluded agreement on a joint report. Accordingly, the United States on August 26, 1947, proposed to the Soviet Union that, to avert further delay in the implementation of the Moscow Agreement, the Four Powers should meet "to consider how that Agreement may be speedily carried out." The Governments of the United Kingdom and China agreed to such a meeting, but the Soviet Government rejected the proposal.

ACTION OF THE GENERAL ASSEMBLY

After informing the Soviet Government of its intention, the United States on September 17, 1947, submitted the problem of Korean independence to the General Assembly of the United Nations.

On September 26, the Soviet Government proposed that the American and Soviet troops be simultaneously withdrawn from Korea. The United States maintained that the question of the withdrawal of troops was an integral part of the problem of establishing an independent and united Korea. Accordingly, it refused to drop its request for the assistance of the United Nations in the matter but called the Assembly's attention to the Soviet proposal.

In the Political and Security Committee of the Assembly, the United States Representative proposed a draft resolution calling for elections in both zones of Korea for a national assembly to establish a Korean Government. When established, the Korean Government would constitute its own security forces and arrange for the early and complete withdrawal of United States and Soviet armed forces. The draft resolution provided further for a United Nations Temporary Commission in Korea to give general assistance in the process of elections and the setting up of a national Korean government.

The Soviet Representative proposed that representatives of the Korean people be invited to participate in the discussion of the problem in the Committee and in the Assembly. The United States pointed out that this proposal injected into the Assembly discussion

precisely the problem on which two governments had for nearly two years been unable to reach agreement and that, accordingly, the proposal would in effect make early action to grant independence completely impossible. Accordingly, the United States proposed an amendment to the Soviet resolution, providing that instead of inviting representatives from Korea to participate in Assembly discussions, the Assembly establish a Commission to carry on consultations in Korea itself. The Committee adopted this amendment and both the Committee and the plenary Assembly adopted the resolution as amended.

A second resolution proposed by the Soviet Delegation called for the simultaneous withdrawal of United States and Soviet troops from Korea at the beginning of 1948. This proposal was rejected in the Committee by a vote of 20 to 6, with 7 abstentions, and in the plenary session by a vote of 34 to 7, with 16 abstentions. The main grounds for opposition by the United States and other members were that this proposal, by calling for the almost immediate withdrawal of troops without making any concrete workable provision for orderly transition of the Korean people to full independence, would in effect be likely to bring about chaos and actually to delay the achievement of Korean independence. After the defeat of this resolution in the Committee, the Soviet Union, the Ukraine, Poland, Yugoslavia, Byelorussia, and Czechoslovakia declared that they would not take part in the voting on the United States resolution.

The United States resolution was, with amendments by the Philippines, India, China and France, adopted by the Committee 46 to nothing, with 4 abstentions, and by the plenary Assembly, 43 to nothing, with 6 abstentions.

The two resolutions thus adopted on the Korean problem establish a United Nations Temporary Commission on Korea, consisting of representatives of Australia, Canada, China, El Salvador, France, India, Philippines, Syria, and the Ukraine. Although the Representative of the Ukrainian Soviet Socialist Republic declared that his Government would not serve as a member of the Commission, the place remains open. The Commission is to travel, observe, and hold consultations throughout Korea; to facilitate and expedite fulfilment of the program for the attainment of Korean independence and the withdrawal of occupying forces, taking into account its observations and consultations in Korea; and to report with its conclusions to the General Assembly. It may consult with the Interim Committee of the General Assembly with respect to the application of the resolution in the light of developments.

The Assembly recommended that, with a view toward the achievement of independence, elections be held not later than March 31, 1948, on the basis of an adult suffrage and by secret ballot to choose repre-

sentatives with whom the Commission can consult and who shall constitute a National Assembly to establish a National Government of Korea. The number of representatives from each voting area or zone is to be proportionate to the population, and the elections are to be under the observation of the Commission. As soon as possible after the election, the National Assembly is to form a National Government which shall, in consultation with the Commission, (*a*) constitute its own national security forces and dissolve all other military formation; (*b*) take over the functions of government from the present military and civilian authorities; and (*c*) arrange with the occupying powers for the complete withdrawal of their armed forces as early as practicable and if possible within 90 days. Finally, the Assembly calls upon member states to afford every assistance and facility to the Commission; to refrain from interfering in the affairs of the Korean people during the period preparatory to the establishment of Korean independence, except in pursuance of Assembly decisions; and to refrain from any and all acts derogatory to the independence and sovereignty of Korea.

The various Commissioners left for Seoul to begin their work early in 1948.

Dr. Victor Hoo, Assistant Secretary-General, was named as head of the Secretariat group. In case of his inability to be present during the whole time of the Commission's visit to Korea, his deputy, Mr. Schmid, a Netherlands national on the Secretariat, will serve.

3. The Interim Committee of the General Assembly

In his opening speech before the General Assembly, on September 17, 1947, Secretary of State Marshall drew attention to the scope and complexity of the problems on its agenda and raised the question whether adequate discharge of its responsibilities was possible in the few weeks of the regular, and occasional special, sessions of the Assembly. He expressed the view that definite need existed for constant attention to the work of the Assembly in order to deal with the continuing problems. Particularly, in the broad field of political problems and security and in the promotion and preservation of friendly relations, there should be full development of the facilities of the General Assembly and improvement of its machinery.

UNITED STATES PROPOSAL

To meet this need Secretary Marshall proposed that the Assembly create a standing Interim Committee to serve after the closing of the Second Session until the opening of the third regular session next September. This Committee would bring into action more

completely several of the great powers of the General Assembly, many of which have remained potential and dormant while the United Nations has been heavily engaged in the many tasks of organization. This new subsidiary organ would strengthen particularly the Assembly machinery for peaceful settlement and invoke more fully and broadly the responsibilities of all the Members of the United Nations for such settlement, without infringing upon the jurisdiction of the Security Council. It would also provide opportunity for the preparation and continuing study, after adjournment of this Assembly, of some of the pressing problems with which the United Nations must contend if it is to succeed.

According to the specific United States proposals subsequently considered in the First Committee, the Interim Committee would undertake preparatory work of studying, investigating, and reporting to the General Assembly on items relating to international peace, security, and friendly relations submitted for inclusion on the agenda of the third Assembly session. It would also be available to discharge follow-up duties assigned to it by the Assembly on matters requiring continuing attention after the closing of the present session. It would get under way the work necessary to enable the General Assembly to make recommendations regarding general principles of cooperation in the maintenance of international peace, and initiate studies for the purpose of promoting international cooperation in the political field. It would also report to the third annual session of the General Assembly on the advisability of establishing an Interim Committee on a permanent basis. The Interim Committee would serve as a means for a quick convocation of a special session if necessary.

ACTION OF THE GENERAL ASSEMBLY

This proposal found wide support among other delegations. However, some delegations raised a number of objections. The most vigorous objection was voiced by the Soviet Union and other Slavic Delegations principally on the following grounds:

1. The proposal would violate the Charter by ignoring the division of powers between the Security Council and the General Assembly; it would give the Interim Committee authority to deal with questions which, under the Charter, it is incumbent upon the Security Council alone to solve.

2. The Interim Committee would not be a subsidiary organ but would in effect be a new principal organ which can be established only by an amendment to the Charter.

3. The Interim Committee could not be given power to conduct investigations since the Assembly itself does not possess such power.

4. The establishment of the Interim Committee would, by design, circumvent the rule of unanimity in the Security Council; it would stimulate the settling of political problems through "mechanical voting" rather than through precedents based on the unanimity of the great powers.

In a series of vigorous replies, the United States Delegation and a number of other delegations proved that none of these objections was well taken. The Delegation of the United States pointed out that both the Security Council and the General Assembly were given responsibility in the field of maintaining international peace and security. While the Security Council was granted primary responsibility with exclusive authority to make binding decisions and order enforcement measures, the General Assembly was given broad recommendatory powers in the same field. Thus under article 35 any state has the choice to apply either to the Security Council or to the General Assembly and to invoke the particular powers of either of the two organs. The United States proposal, while taking into account fully the primary responsibility of the Security Council, was designed to improve the Assembly machinery in this field.

The contention that the Interim Committee was not a subsidiary organ but rather a principal organ was also shown to lack any foundation. The United States Delegation pointed out that the only function of the Committee would be to assist the General Assembly, which is a typical function of a subsidiary organ. The Committee would have no power to make recommendations to Members or to other organs of the United Nations. It would report solely to its parent organ.

As for the objection to the proposed right of the Interim Committee to conduct investigation, the United States Delegation emphasized that the Security Council alone has authority to institute investigations which have compulsion behind them; the Security Council is the only organ able to send an investigation commission where it will and to summon whomever it will. Neither the Assembly nor a subsidiary organ of the Assembly has authority to conduct investigation in territories of a member state without that member's consent. However, this does not mean that the Assembly cannot investigate facts. Without this possibility, the General Assembly would be unable to make intelligent recommendations. Indeed, the Assembly has established commissions of investigation—notably in connection with the Palestine question. Investigation by the General Assembly, however, depends upon the cooperation of the countries concerned and not upon compulsion. In establishing a subsidiary organ such as the Interim Committee, the General Assembly must of necessity have authority to equip it with such powers as are necessary for the per-

formance of its duties. The right of investigation being essential for effective functioning of the Interim Committee, the General Assembly must have the power to confer this right upon the Committee.

In refuting the allegation that the United States proposal represented a collateral attack against the rule of unanimity, the United States Delegation reaffirmed the full support of the United States Government for every effort designed to strengthen the Security Council. If, however, the Security Council becomes incapacitated because of the disagreement among the permanent members, Member states seeking solution to their problems naturally should be able to turn for peaceful adjustments to the General Assembly, where the veto does not obtain. The United States Delegation disproved the Soviet charge of "mechanical majorities" in the General Assembly by referring to the actual voting record of the members in the Assembly. Most political problems should be dealt with through direct negotiations, the United States Delegation declared, and should not be brought before the General Assembly; however, this should not deter the Assembly from equipping itself to deal adequately with such problems as may reach it after efforts for direct negotiations between nations have failed.

Extended discussion centered chiefly on the scope of the Interim Committee's duties. Some delegations, particularly that of Argentina, advocated the extension of the Interim Committee's competence to embrace the duties of the General Assembly in all the fields of responsibility assigned to it by the Charter. Other delegations, notably the Delegation of Australia, envisaged an Interim Committee having a limited scope to function as a "court of appeal", so to speak, on matters that had been before the Security Council and as to which the Council was unable to agree on any decision. The Delegation of Bolivia proposed that the General Assembly should prolong its existence throughout the year; after the adjournment of the current session, the Political and Security Committee of the Assembly should continue its work and should be equipped with powers identical with those conferred upon the Interim Committee under the United States proposal.

After considerable discussion, the Political and Security Committee of the Assembly referred the United States proposal, along with proposals and amendments introduced by other delegations, to a subcommittee consisting of 15 members. The Soviet Union and Czechoslovakia were designated as members of this subcommittee but refused to participate in its deliberations. Taking the United States proposal as a basis for its work, the subcommittee subjected each provision to close scrutiny from the viewpoint both of Charter validity and of political desirability. Most of the members of the subcommittee took an active part throughout the 16 meetings in the sub-

committee, in the course of which the United States draft underwent a number of modifications. Thus, for instance, the subcommittee agreed on a requirement of a two-thirds vote, instead of a simple majority requirement, for placing a matter on the agenda of the Interim Committee; it inserted also an express provision that the Interim Committee cannot consider any matter of which the Security Council is seized.

The United States draft thus amended was approved in the Political and Security Committee by an overwhelming majority of 43 votes for and 6 against, with 6 abstentions. The 6 Arabic states abstained from voting. The negative votes were cast by the Slavic Delegations, who at once declared that they could not participate in the Interim Committee because they considered it an illegal organ. At the same time the Soviet Delegation also rejected a suggestion that the Assembly request an advisory opinion from the International Court of Justice on the question of the legality of the Interim Committee. The plenary session supported the resolution by a vote of 41 to 6, with 6 abstentions.

The General Assembly instructed the Interim Committee to study and report to the Third Session on the problem of voting in the Security Council and authorized the United Nations Temporary Commission on Korea to consult with the Interim Committee.

The Interim Committee held its first meeting on January 5, 1948.

4. Propaganda

On September 19, 1947, in the plenary session, the Soviet Delegation introduced a resolution on "Measures to be Taken Against Propaganda and Inciters of a New War" as the agenda item of greatest concern to the Soviet Union.

The Soviet draft resolution opened with allegations that criminal propaganda for a new war was being carried on in the United States, Turkey, and Greece by appeals in various forms, and it sought to have the United Nations declare that the governments of all countries should be called upon to prohibit such propaganda in any form "on pain of criminal penalties" and to take measures for its suppression as antisocial activity.

The main points in the argument of the Chief of the Soviet Delegation who presented the resolution may be summarized as follows:

"Reactionary circles" in a number of countries "particularly in the United States, Greece and Turkey" are carrying on an organized campaign for war against the Soviet Union, using lies, slander, and incitements to aggression; "warmongering" is prohibited in the Soviet Union;

This war propaganda is designed to support military preparations centering in the United States;

The "reactionary circles", identified as monopoly capitalists, have found war profitable and the only alternative to economic crisis;

These monopolies and cartels, closely linked to the German trusts before the war and now engaged in reestablishing their connections, resist attempts to outlaw the manufacture of atomic weapons and reduce armaments generally.

The Chief of the Soviet Delegation made similar violent and loose charges of warmongering against a number of individual American citizens and organizations.

The Soviet group also introduced related proposals in the Third Committee.

ACTION OF THE GENERAL ASSEMBLY

In the view of the American Delegation, the Soviet resolution was an attempt to malign the United States, Greece, and Turkey, but, more fundamentally, to shackle the press and other expression of opinion in individual countries and to undermine the basic right of human beings to freedom of speech.

In reply to the Chief of the Soviet Delegation, the American Representative attacked the Soviet resolution as contrary to principle, to democracy, and to sound policy and as diverting attention from practical programs for removing the real causes of war. His speech was a positive affirmation of American policy in upholding the principles of free speech as one of the fundamental freedoms of the Charter and in taking constructive action to promote the conditions of peace. He refrained from attacks on the Soviet Union and from defenses or explanations in response to the voluminous misrepresentations of the Chief of the Soviet Delegation.

In the First Committee a majority of the delegations, while strongly unwilling to support the Soviet position as presented, nevertheless desired to go on record against warmongering and in support of "peacemongering." The United States Delegation was willing, on the condition that a clear-cut decision should first be given on the Soviet resolution, to support with certain amendments a proposal submitted by the Australian, Canadian, and French Delegations. This resolution recalled that the Charter is designed to avoid the scourge of war and to promote universal respect for fundamental freedoms, including freedom of expression. It condemned all propaganda "designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression"; requested all members to "promote, by all means of publicity and propaganda available to them,

friendly relations among nations based upon the Purposes and Principles of the Charter", and to "encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace"; and directed that the resolution be communicated to the Conference on Freedom of Information.

Immediately before the vote on the Soviet resolution, the Polish Delegation moved to substitute the first paragraph of the alternative resolution for the paragraph of the Soviet resolution which branded the United States, Greece, and Turkey as warmongers. Without directly withdrawing his own paragraph, the Soviet Representative accepted this amendment. A paragraph-by-paragraph vote was then taken. Paragraph 1, the Polish amendment, was defeated 18 to 23, with 15 abstentions. The voting was confused because most delegations intended to vote for the precise language of the Polish amendment as part of the substitute resolution. When the Chairman announced that the original first paragraph of the Soviet resolution would next be put to the vote, the Soviet Delegation argued against this on the ground that the paragraph had already been taken care of. The Committee proceeded, accordingly, to vote on the remaining paragraphs of that resolution. All of these paragraphs were rejected by large votes.

In order to emphasize more clearly the rejection of the accusations, several delegations then requested a vote on the Soviet resolution as a whole. On the request of the United States Delegation for a ruling, the Chairman ruled that the rejection of all four paragraphs of the Soviet text had resulted in the rejection of the resolution in its entirety. The whole resolution was not before the Committee and would, therefore, not be voted upon. The joint resolution was then voted upon. After two Soviet amendments failed of passage, an American amendment was approved 22 to 17, with 14 abstentions; this amendment stipulated that the steps each Member was requested to take were steps "within its constitutional limitations". The resolution as amended was unanimously adopted.

Immediately after the vote, the Soviet Representative requested that the failure of the Committee to vote on the original Soviet paragraph should be recorded. Several delegations, pointing out that the Soviet tactics were designed, by avoiding a direct vote on the Soviet accusations, to salvage these accusations for future propaganda purposes, once more called for a direct vote on them by the Committee. The Chairman then stated again that, by supporting the Polish amendment, the Soviet Representative had *de facto* withdrawn his original accusations. He had refused to permit a vote on the resolution as a whole because each paragraph had been rejected. He accordingly

ruled once more that the Soviet proposal, including its first paragraph, had been rejected.

The resolution as adopted by the Committee in place of the Soviet resolution was approved by the plenary meeting of the Assembly unanimously.

5. Admission of New Members

The Assembly on September 30, 1947, admitted Pakistan and Yemen to membership on the recommendation of the Security Council. This action, which was strongly supported by the United States, raised the total membership of the United Nations to 57.

THE PROBLEM OF REJECTED APPLICATIONS

The Security Council had failed, in its consideration of membership applications this past summer, to recommend the admission of any of 11 other applicant states. Pursuant to a 1946 recommendation of the Assembly, the Security Council had reexamined the applications of Albania, the Mongolian People's Republic, Transjordan, Eire, and Portugal. The last three of these applicants had, as in 1946, been rejected through vetoes by the Soviet Union. Six other states—Hungary, Italy, Austria, Rumania, Bulgaria, and Finland—had applied in 1947. Of these, Italy, Austria, and Finland also had been rejected through Soviet vetoes. A strong conviction shared by the United States and a large majority of delegations was expressed in the First Committee of the General Assembly that, in some cases, the reasons given for these vetoes were not proper reasons for opposing the admission of a state within the meaning of article 4 of the Charter and that several of these applicants qualified fully for membership. The conviction was general that this situation constituted a most serious problem for the Organization.

ACTION OF THE GENERAL ASSEMBLY

The First Committee considered somewhat drastic remedies for this situation. The Argentine Delegation, arguing that the Assembly can, under the Charter, admit an applicant even if the Security Council has not recommended its admission, offered resolutions to admit several of the above-mentioned states. This view received little support, and the Assembly adopted, instead, six resolutions declaring that in its opinion Eire, Portugal, Transjordan, Italy, Austria, and Finland qualified for membership and recommending that the Security Council reconsider their applications. The United States proposed the resolution concerning Austria and supported the other five resolutions.

The Assembly also adopted a Polish resolution recommending that

the five permanent members of the Security Council consult with a view to the reconsideration of all rejected applications. Finally, it adopted a Belgian resolution requesting an advisory opinion from the International Court of Justice on the question whether a Member of the United Nations can, under the Charter, properly make its favorable vote on an application dependent not only on the fulfilment of the terms of article 4 by the applicant but also on the additional condition that other states be admitted to membership. These resolutions likewise received the favorable votes of the United States.

Since the resolutions relating to Eire and Transjordan requested the Security Council to reconsider their applications before the end of the current session, the Security Council responded by reconsidering these applications on November 22, 1947. Finding that no member had changed its position on the applications, however, the Council postponed further reconsideration of them pending informal consultations on the subject among the permanent members of the Council.

6. Voting in the Security Council

In 1947, as in 1946, the problem of voting in the Security Council continued as one of the focal points of public interest in the operations of the United Nations.

In 1946 the General Assembly adopted a resolution which requested "the permanent members of the Security Council to make every effort, in consultation with one another and with fellow members of the Security Council, to ensure that the use of the special voting privilege of its permanent members does not impede the Security Council in reaching decisions promptly; . . . ." It further recommended the early adoption of practices and procedures to reduce the difficulties in the application of article 27 of the Charter.

DEVELOPMENTS IN THE SECURITY COUNCIL

During the seven months following the passage of this resolution some progress appeared in the Security Council toward securing sufficient agreement among the permanent members so that decisions of the Security Council could be taken. Seven major matters were considered by the Security Council during that period, and until July 29, 1947, the veto was exercised only once (by the U.S.S.R. in the Corfu Channel case). The chief reason for this improvement during the first seven months of 1947 was the development of the practice of voluntary abstention from voting by the permanent members of the Security Council in decisions which they could not favor, but where, for one or another reason and in a spirit of compromise, they were

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willing to forego the employment of the veto. It became the well-established practice of the Security Council that abstention by a permanent member did not have the effect of a negative vote and did not, therefore, defeat substantive decisions concurred in by seven members of the Security Council, including the other permanent members voting on the decision.

Between July 29 and December 31, 1947, however, the veto was used 13 times—12 times by the U.S.S.R., once by France. Five of the vetoes by the U.S.S.R. were used to prevent the adoption of resolutions in the Greek case. The remaining seven Soviet vetoes were used to exclude Transjordan, Portugal, Ireland, Italy, Austria, and Finland from membership in the United Nations.

Partly as a result of developments during the past year the United States, while continuing to strive for agreement among the permanent members of the Security Council, reluctantly came to the conclusion that the abuse of the requirement of unanimity had prevented the Security Council from fulfilling its true functions and that the only practical method for improving the situation was through liberalization of voting procedure in the Security Council.

ACTION OF THE GENERAL ASSEMBLY

The problem was brought before the Second Session of the General Assembly by Argentina, which called for "convocation of a General Conference under Article 109 of the Charter to amend the privilege of the veto", and by Australia, which requested General Assembly consideration of the previous General Assembly resolution "and the extent to which the recommendations contained in that resolution have been carried out."

In the general debate at the opening of the regular session of the General Assembly the United States indicated its willingness to accept, by whatever means might be appropriate, the elimination of the unanimity requirement with respect to matters relating to the pacific settlement of disputes and with respect to such matters as applications for membership. The Secretary of State pointed out in his speech, in the opening meetings of the Assembly, however, that the matter was one of great complexity and significance for the United Nations and that, therefore, it deserved careful study.

The United States accordingly submitted to the Second Session of the General Assembly a resolution under which the General Assembly requested the Interim Committee of the General Assembly to:

"1. Consider the problem of voting in the Security Council, taking into account all proposals which have been or may be submitted by

Members of the United Nations to the second session of the General Assembly or to the Interim Committee;

"2. Consult with any committee which the Security Council may designate to co-operate with the Interim Committee in the study of the problem;

"3. Report, with its conclusions, to the third session of the General Assembly, the report to be transmitted to the Secretary-General not later than 15 July 1948, and by the Secretary-General to the Member States and to the General Assembly; . . . ."

The resolution further requested:

". . . the permanent members of the Security Council to consult with one another on the problem of voting in the Security Council in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions."

The problem did not come before the First Committee of the General Assembly for discussion until the session was drawing near its close. Because time was lacking for a thorough discussion and also because many states had expressed their general views on this subject in the previous discussions of other problems during this session, the United States suggested that consideration in the General Assembly be limited to the question of the desirability of a further study of the problem. While there was some discussion of the substance, the speakers in the main confined themselves to the specific issues raised by the resolution. In general, three viewpoints were expressed:

1. Certain states were ready to advocate immediate amendment of the Charter or other basic changes in the practices and procedures of the Security Council on this subject. All of these states, however, agreed to defer their requests for changes until after the study of the matter by the Interim Committee as requested in the resolution.

2. At the other extreme the U.S.S.R. indicated that no action by the General Assembly was necessary and that the entire problem should be eliminated from the agenda of the General Assembly.

3. A third group, which included the overwhelming majority of the Assembly, expressed great concern over the failure of the Security Council to reach agreed decisions on important matters affecting international peace and supported the position of the United States that the matter should receive further study both in the Interim Committee of the General Assembly and through consultations among the permanent members. It was contended by various representatives from this group that such a study would at the least bring about a better and more accurate understanding of this complicated problem and perhaps might result in agreement among the permanent members on some liberalization of voting procedures.

The United States resolution was adopted by the General Assembly by a vote of 38 affirmative votes to 6 negative votes, with 11 abstentions. While the announced intention of the Soviet Union and other European states is not to participate in the activities of the Interim Committee and although the reaction of the Representative of the U.S.S.R. at the time was that consultations among the permanent members on the question of the veto would not be appropriate, the United States will continue to support and advocate any measures which it deems likely to improve the effectiveness of the Security Council and will continue to favor consultation among the permanent members on such measures.

7. Relations With Spain

The question of relations of Members of the United Nations with Spain appeared on the agenda only as a result of a provision contained in the Assembly resolution of December 12, 1946, to the effect that Members should report what action they had taken to recall their ambassadors and ministers plenipotentiary from Madrid.

ACTION OF THE ASSEMBLY

The Polish Delegation proposed a resolution reaffirming the resolution of December 12, 1946, and recommending that the Security Council consider the Spanish question within a month and take enforcement measures pursuant to article 41 of the Charter "in order to remedy the present situation. . . ." A Yugoslav amendment to this resolution stated that these measures should particularly be measures of an economic nature.

The Representatives of Cuba, Guatemala, Mexico, Panama, and Uruguay submitted a joint draft resolution reaffirming the resolution adopted by the General Assembly on December 12, 1946, and expressing the confidence of the General Assembly that the Security Council would exercise its responsibility under the Charter should it consider that the situation in regard to Spain so required. A joint draft resolution was also introduced by the Representatives of Belgium, Luxembourg, and the Netherlands expressing regret that the recommendation of the General Assembly of December 12, 1946, had not been fully complied with, and expressing the confidence of the General Assembly that the Security Council would exercise its responsibility for the maintenance of international peace and security as soon as the Spanish question should require the adoption of such measures.

The United States Delegation opposed any proposal looking towards the application of sanctions since there was no factual basis for taking such action. As to the proposed reaffirmation of the 1946 resolution, the United States Delegation had expressed doubts last year as to its probable efficacy and these doubts had been confirmed during the intervening period. The United States Delegation therefore opposed reaffirmation of last year's resolution.

The First Committee appointed a drafting subcommittee, composed of the members that had submitted proposals, to draw up a single joint proposal. This subcommittee proposed a resolution reaffirming the resolution of December 12, 1946, and expressing its confidence that the Security Council would exercise its responsibilities under the Charter as soon as it considered that the situation in regard to Spain so required. This resolution was adopted by the First Committee by a vote of 29 to 6, with 20 abstentions. The United States opposed the paragraph reaffirming the 1946 resolution. In the plenary session this paragraph failed to secure the necessary two-thirds majority. The remainder of the resolution was adopted by a vote of 36 to 5, with 12 abstentions, the United States voting for it.

8. Suggestions to the Countries Concerned With the Peace Treaty With Italy

It will be recalled that the Italian treaty had just come into force on the eve of the opening of the Assembly. More than any other single factor, perhaps, it was this element of recency which made consideration of whether the Assembly should discuss suggestions for revision of the treaty a controversial question. In addition there was general hesitance in the prevailing circumstances to attempt to recommend revision of a treaty.

EXTENT OF CONSIDERATION BY THE GENERAL ASSEMBLY

The question of revision of the Italian peace treaty was brought before the Assembly in items proposed by Argentina, Ecuador, and Honduras. The Argentine item was supported by Paraguay, Bolivia, Costa Rica, Panama, Uruguay, and the Dominican Republic. The matter was first discussed on September 20 and 21 in the General Committee in terms of whether to recommend to the Assembly that it consider the question.

The General Committee gave chief attention to the Argentine item which, after being rephrased at the instance of Chile to read "Suggestions to the Countries Concerned with the Peace Treaty with Italy",

was recommended to the Assembly for inclusion on the agenda, by a vote of but 4 in favor, including the United States. Eight delegations abstained.

On September 23, in the ninetieth and ninety-first plenary sessions of the Assembly, there was debate on whether to discuss the matter. Opposition came from the Soviet Union, Ethiopia, and Yugoslavia. The United Kingdom, France, and Chile had doubts about the constitutional powers of the Assembly with respect to the revision of a treaty so recently put into force; Australia, Argentina, Ecuador, and the United States favored Assembly discussion without prejudice to what kind of action the Assembly might take. By a show-of-hands vote it was decided to include the treaty item on the agenda. The vote was 22 in favor (including the United States), 8 against, with 19 abstentions and with 6 delegations absent.

The attitude of the United States was a natural outgrowth of our policy of assisting and encouraging the democratic Italian Government and the Italian people along the road of national reconstruction and stability. It was also in accord with our concept of the free range of discussion which appertains to the General Assembly. The United States did not contemplate initiating any specific proposals unless such proposals were generally desired.

United States views on the Italian treaty had been publicly stated on earlier occasions by the President and the Secretary of State. Their statements had included the view that suitable readjustments ought eventually to be possible "within the framework of the United Nations" and in the light of future experience. Such a policy did not contemplate that the United Nations should itself, at some future date, undertake to revise the Italian treaty; it did express the belief that the United Nations could and should be ready to assist in bringing about such readjustments as the international community might feel desirable within the scope of the Charter through the processes of peaceful change.

The Political and Security Committee late in October placed this matter at the end of its agenda. However, since general sentiment had developed in the Assembly by mid-November that the question could not or perhaps should not be gone into at the current session, Argentina decided on November 19 to withdraw the item.

9. Treatment of Indians in the Union of South Africa

An Assembly resolution of December 8, 1946, declared that friendly relations between India and the Union of South Africa had been impaired by the difficulties arising from discrimination against Indians in South Africa. The resolution stated that the treatment of

Indians in South Africa should be in conformity with the international obligations of the two members under the agreements concluded between them and under the relevant provisions of the Charter, and it requested the two Governments to report to the Assembly at its next session the measures which they had taken to those ends. Both Governments rendered reports which showed that no progress had been made in reaching a solution. In this form the matter was on the agenda of this session of the Assembly. The debate on this matter was happily marked by less strain and was notably more an exchange of reasoned views than had prevailed the year before.

CONSIDERATION BY THE ASSEMBLY

The Indian Delegation initially submitted a resolution reaffirming the 1946 resolution, expressing regret at the refusal of the Government of South Africa to accept the implementation of the resolution as a basis for discussion with the Government of India and at its failure to take any steps for such implementation, and requesting the two Governments to enter into a round-table conference on "the basis" of that resolution without delay, and to invite the Government of Pakistan to participate in such round-table discussions. It requested further that the results of such discussions be reported to the Secretary-General, who should from time to time make inquiries and report to the Assembly at its next session.

The Indian Delegation accepted an amendment submitted by the Mexican Delegation, and thus deleted the regret clause in its own draft resolution. Other proposals were introduced calling for discussions between the two Governments and, if such discussions failed, a request to the International Court of Justice for an opinion as to their mutual rights and obligations in the matter.

It was the view of the United States Delegation that the efforts of the Assembly should be directed towards encouraging friendly and direct discussions between the two Governments concerned at a round-table conference. Accordingly, the United States Delegation did not favor a resolution reaffirming last year's resolution, which has borne no fruit and which again would encumber and weigh down the hope of progress the coming year as it did during the past year, leaving the matter largely where it now stands, if indeed not worsened. The United States Delegation instead favored a resolution which, while taking into consideration last year's resolution, should not require that last year's resolution be the basis of discussion, to the exclusion of a broader basis for a round-table conference resting upon the whole history of the problem and all the factors involved. In addition, the United States still believed, as in 1946, that clarification by judicial

means of essential doubts concerning the mutual rights and obligations of the two Governments would be helpful in arriving at a solution of their problem.

DECISION AGAINST ANY RESOLUTION

The First Committee adopted the Indian resolution as amended by 29 to 15 votes, with 5 abstentions. In the plenary session of the Assembly, however, that resolution, failing to receive the necessary two-thirds majority, was rejected by 31 to 19 votes, with 6 abstentions. The United States voted against the resolution as a whole in the First Committee, and again in the plenary session, because the fourth paragraph reaffirmed last year's resolution and the fifth paragraph called for a round-table conference on the basis of that resolution solely.

The resolution introduced in the First Committee by Belgium, Brazil, and Denmark, suggesting the advisability of clarification by the International Court of Justice of certain legal aspects of the dispute and the submission of the entire question to the Court in the event that the two parties failed to reach an agreement through direct negotiations, was rejected by 24 to 18 votes, with 6 abstentions. The United States vote was cast in favor of this resolution.

These results in the plenary meeting had been forecast by the nature of the debate in the Committee and the character of the divided vote there. At the time of the consideration of the problem in the plenary meeting, therefore, a joint resolution was introduced by Belgium, Brazil, Cuba, Denmark, and Norway in an effort to reach an acceptable phrasing of the various views advanced. This draft resolution called upon the governments concerned to continue their efforts to reach an agreement through a round-table conference or other direct means, or, if necessary, by mediation or conciliation, or, should they fail to reach such an agreement, to submit the question of the extent of the said obligations under the agreements concluded between them and under the relevant provisions of the Charter to the International Court of Justice. However, this compromise resolution was also rejected, by 24 votes for to 29 against, with 3 abstentions. The United States voted for this resolution.

The result was that the Assembly passed no resolution on this problem.

10. Palestine

The small country of Palestine, about the size of Vermont, has been a center of international rivalry intermittently since the beginning of human history. It lies near the crossroads of the Old World, where the continents of Europe, Asia, and Africa meet. Its shrines

are sacred to Christians, Jews, and Moslems throughout the world; yet its soil has been the battleground of many different nations and empires. Today the Holy Land tests the ability of the world community to make a peaceable disposition of this problem, now marked by strife.

The problem of Palestine in modern times arose after the first World War as a result of the collapse of the Ottoman Empire. Palestine was placed under a League of Nations mandate with the United Kingdom as the mandatory power. On a number of occasions in the 25 years thereafter the United Kingdom attempted, unsuccessfully, to persuade the inhabitants of Palestine to agree upon their future status. More recently, the United Kingdom and the United States tried jointly—through the Anglo-American Committee of Inquiry and the Morrison-Grady conversations in 1946—to find a solution. The conflicting views and desires of the Arabs and Jews made impossible any settlement of this question.

Throughout the period of the mandate, and more recently in debates in the General Assembly during 1947, the Arabs have sought the immediate creation of an independent Palestine. They have insisted that the 1,200,000 Arabs in Palestine, comprising two thirds of the population, have a right, in accordance with the principle of self-determination, to determine the status of that country and to develop an independent state without interference from the outside. The Arabs have also claimed that they acquired special rights in Palestine from certain promises and pledges made during the first World War. They have contended that the League of Nations mandate, providing for the establishment of a Jewish national home in Palestine, was illegal. They have insisted upon curtailment of immigration. They have denied that the United Nations has any right to recommend or impose a solution of the question of the disposition of Palestine which does not recognize what they consider to be the interests of the Arab population in Palestine.

The Jews, on the other hand, have sought unlimited Jewish immigration into Palestine and the establishment of a Jewish state therein. The Jews have based their claims upon their ancient interest in the country, upon their historic quest for a national home, which was recognized by the Balfour declaration, and upon the League mandate. The Jews have maintained that, having devoted their lives and fortunes in the past 30 years to building a community of 600,000 persons in Palestine, they cannot now be deprived of their right to create an independent state. In more recent years they have argued that a Jewish state is needed to assure a refuge for the European victims of Nazi persecution. They have contended that Jewish immigrants

alone can develop the country adequately and that these immigrants help, rather than injure, the Arab population.

For the United States, as for other Members of the United Nations, these rival claims—each based upon historical, political, and legal arguments—have created a dilemma of infinite complexity. Few issues in modern times have taxed statesmanship so heavily; few have offered a greater challenge to an international organization.

SPECIAL SESSION OF THE GENERAL ASSEMBLY

The question of Palestine was brought before the United Nations by the Government of the United Kingdom in a letter to the Secretary-General dated April 2, 1947, which requested the Secretary-General to place the question of Palestine on the agenda of the General Assembly at its next regular session. The British Government stated that it would ask the Assembly to make recommendations under article 10 of the Charter concerning the future government of Palestine. It requested the Secretary-General to summon a special session of the General Assembly for the purpose of constituting and instructing a special committee to prepare for the consideration of the problem.

The Special Session convened on April 28, 1947. The United States was represented by Ambassador Warren R. Austin, as Chairman of the Delegation, and Ambassador Herschel V. Johnson as Alternate Representative. Oswaldo Aranha (Brazil) was elected President. Lester B. Pearson (Canada) was elected Chairman of the Political and Security Committee, in which most of the debates took place.

The adoption of the agenda provoked an initial controversy, but on May 1 the General Assembly adopted without a record vote the item proposed by the United Kingdom. It rejected, by a vote of 15 for, 24 against, and 10 abstentions, the item proposed by the five Arab states (Egypt, Iraq, Syria, Lebanon, and Saudi Arabia)[1] for "termination of the mandate over Palestine and the declaration of its independence".

A major procedural problem arose over the request of many nongovernmental organizations to be heard during the Special Session. Certain of these organizations requested that their representatives be allowed full rights of participation, except for the right to vote, in the deliberations. These requests involved considerations of general principle, quite apart from the Palestine problem, and the decision might have set important precedents for the future work of the Assembly. The United States Representative took the position that full rights of participation in the General Assembly are limited to representatives

[1] Yemen, the sixth Arab state now a Member of the United Nations, was admitted by decision later in the year.

of Members of the United Nations. The Members of the United Nations are states, and states only. Furthermore, he argued, the Special Session had been convened to constitute and instruct a committee of inquiry, not to discuss the substance of the Palestine question.

The Assembly ultimately adopted two resolutions authorizing the First Committee to grant hearings to the Jewish Agency for Palestine and the Arab Higher Committee and to decide upon other requests of a similar character from the Palestinian population. The First Committee subsequently agreed to hear representatives of only those two nongovernmental organizations. The appearances of the representatives were "hearings" of the type familiar in the practice followed by the United States Congress; that is, the representatives appeared under arrangements effected by the Chairman of the Committee, made statements on the matter before the Committee, and answered questions.

CREATION OF THE SPECIAL COMMITTEE ON PALESTINE

At the outset the First Committee had before it draft resolutions submitted by Argentina and the United States, proposing the establishment of a committee of inquiry with broad powers, but diverging fundamentally on the question of membership of the committee. The Argentine resolution proposed a committee composed of the Five Powers and six other states. The United States resolution premised that the Five Powers should be excluded and that the Special Committee should consist of a small number of states not directly interested in the Palestine problem.

Those supporting the Argentine proposal felt that the Five Powers should be given responsibility from the very outset of the work on Palestine and that failure to include them on the Committee might result in a prolonged discussion of the Palestine problem at the regular session of the Assembly. The Soviet Union alone of the great powers themselves proposed that these powers should be included. Those favoring the United States proposal suggested that disagreement among the Five Powers might result in failure of the Special Committee to make agreed recommendations. It was generally felt, moreover, that, if it were not appropriate for one of the Five Powers—the United Kingdom—to serve on the Committee, none of the five should.

On the basis of an Australian proposal, the First Committee decided that the Special Committee should consist of 11, not including any permanent members of the Security Council. The draft resolution submitted by the United States had named seven states: Canada, Czechoslovakia, Iran, Netherlands, Peru, Sweden, and Uruguay. Two additional states, Guatemala and Yugoslavia, were suggested by the Chilean Delegation. The First Committee elected these nine in a

group, and the tenth and eleventh members in a manner designed to preserve proper geographic representation: Australia from the South Pacific area and India from Asia. This composition of the Special Committee was approved by 39 votes in favor, 3 against, with 10 abstentions.

The terms of reference as set forth in the final resolution contained but a single specific instruction to the Special Committee, namely, to "give most careful consideration to the religious interests in Palestine of Islam, Judaism and Christianity". The Committee was assigned "the widest powers to ascertain and record facts, and to investigate any questions and issues relevant to the problem of Palestine" and was instructed "to submit such proposals as it may consider appropriate for the solution of the problem of Palestine".

The General Assembly adopted the report of the First Committee by a vote of 45 for, 7 against, and one abstention. The Representatives of Egypt, Iraq, Lebanon, Saudi Arabia, and Syria formally reserved the positions of their respective Governments.

The Assembly unanimously adopted a second resolution calling upon all governments and peoples, and particularly on the inhabitants of Palestine, to refrain from the threat or use of force or any other action which might create an atmosphere prejudicial to an early settlement of the question.

UNITED NATIONS SPECIAL COMMITTEE ON PALESTINE

For over three months after the adjournment of the Special Session of the General Assembly the Palestine problem was considered by the Special Committee (familiarly known as UNSCOP), which held its first meeting at Lake Success on May 26 and signed its report at Geneva, Switzerland, on August 31. The Committee elected Justice Emil Sandstrom (Sweden) and Dr. Alberto Ulloa (Peru) Chairman and Vice Chairman, respectively. The Secretary-General designated a secretariat of 57 members, headed by Dr. Victor Hoo, Assistant Secretary-General of the United Nations in charge of trusteeship and information from non-self-governing territories.

The Committee spent six weeks of investigation in the Holy Land. Although the Arab Higher Committee decided to abstain from collaboration with the Committee, representatives of the Arab states presented their views to the Committee in Beirut. Several members of the Committee also visited displaced-persons camps in Germany and Austria. After a month of final consideration in Geneva the Committee submitted its report to the General Assembly. The report contained 11 general principles unanimously agreed upon by the Committee, a majority plan for partition of Palestine, and a minority

plan for a federal state. The Representative of Australia did not sign either plan.

MAJORITY PLAN: PARTITION WITH ECONOMIC UNION

The majority plan was signed by representatives of seven of the eleven members—Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden, and Uruguay. It proposed a partition of Palestine with economic union, effective after a transitional period of two years beginning September 1, 1947. Independence would be granted each state upon the adoption of a constitution, the making of a declaration to the United Nations guaranteeing the Holy Places and religious and minority rights, and the signing of a treaty establishing an economic union. During this transitional period the United Kingdom (with the assistance of one or more Members of the United Nations, if so desired) would carry on the administration of Palestine under the auspices of the United Nations on such conditions and under such supervision as the United Kingdom and the United Nations might agree upon. The proposed boundaries would establish an Arab state, a Jewish state, and a City of Jerusalem which would be placed under international trusteeship. During the two-year transitional period 150,000 Jewish immigrants would be admitted into the Jewish state. If the transitional period should continue for more than two years, Jewish immigrants would be allowed at the rate of 60,000 a year. Existing restrictions on the transfer of land would not apply in the proposed Jewish state during the transitional period. The economic union of the two states would include a customs union, a common currency, operation in the common interest of transportation and communication facilities and the ports of Haifa and Jaffa, and a joint development program. The economic union would be administered by a Joint Economic Board, consisting of three representatives of each of the two states and three foreign members appointed by the Economic and Social Council. Between 5 and 10 percent of the customs revenues would be allocated to the City of Jerusalem; the remainder would be divided equally between the two states.

MINORITY PLAN: A FEDERAL STATE

The minority plan, signed by representatives of India, Iran, and Yugoslavia, provided for the creation of an independent federal state of Palestine following a transitional period of not more than three years. Independence of Palestine would be declared by the General Assembly upon the adoption of a constitution containing provisions specified in the plan. The General Assembly would determine what authority would administer Palestine during the transitional period.

The proposed boundaries would establish an Arab state and a Jewish state within the federal state. Each of these two local states would be divided into two noncontiguous sections. Jewish immigration would be permitted into the Jewish state for a period of three years to the extent compatible with its absorptive capacity as determined by an international commission. Thereafter, immigration would be regulated by legislation enacted by the federal government. Under the constitutional arrangements specified in the minority plan there would be established a bicameral federal legislature, one house elected on the basis of proportional representation of the population as a whole and the other on the basis of equal representation of Arabs and Jews. In the event the two houses could not agree, the issue would be submitted to an arbitral body of five members which, under the constitutional provisions as drawn, would undoubtedly consist of three Arabs and two Jews. The head of the federal state would be elected by majority vote of a joint meeting of the two houses of the legislature. The federal court—the final court of appeal in all constitutional matters, including cases involving the constitutional validity of state and federal legislation—would be similarly elected by a joint session of the legislature and would have a minimum membership of four Arabs and three Jews.

DECISION BY THE GENERAL ASSEMBLY IN ANNUAL SESSION

The importance and complexity of the Palestine problem was recognized at the outset of the second annual session of the General Assembly, which relieved the overburdened First Committee by creating an *Ad Hoc* Committee on the Palestinian question. To this Committee were referred three items: the question of the future status of Palestine proposed by the United Kingdom; the UNSCOP report; and an item proposed by Saudi Arabia and Iraq entitled "termination of the mandate over Palestine and the recognition of its independence as one State." The Committee elected Dr. Herbert V. Evatt (Australia) Chairman, Prince Subha Svasti (Siam) Vice Chairman, and Mr. Thor Thors (Iceland) Rapporteur. The Committee was authorized to hear representatives of the Arab Higher Committee and the Jewish Agency for Palestine.

The position of the United States Delegation was stated in general terms by Secretary Marshall in his address in the plenary meeting on September 17. The Secretary declared that the United States "intends to do everything in its power . . . to assist in finding a solution for this difficult problem which has stirred up such violent passions, and which is now resulting in the shedding of blood and in great mental and moral anguish". After commending UNSCOP for its contribution, Secretary Marshall said that the United States "gives great weight

not only to the recommendations which have met with the unanimous approval of the Special Committee but also to those which have been approved by the majority of that Committee."

The United States position was amplified during the general debate in the *Ad Hoc* Committee. The United States Representative emphasized that "the urgency of the problem is so great that the General Assembly must recommend a solution at this session." He expressed the support of the United States Delegation for the basic principles of the unanimous recommendations and the majority plan which provided for partition and immigration. However, he stated the view that "certain amendments and modifications would have to be made in the majority plan in order to give effect to the principles on which that plan is based." For example, he said, Jaffa should be included in the Arab state because it is predominantly an Arab city. He suggested that "all inhabitants of Palestine, regardless of citizenship, be guaranteed access to ports and water and power facilities on a nondiscriminatory basis; that constitutional guarantees, including guarantees regarding equal economic opportunity, be provided for Arabs and Jews alike; and that the powers of the Joint Economic Board be strengthened."

The Soviet Delegation also favored the partition of Palestine, this being the only major issue in which the United States and the Soviet Union were in agreement at the Assembly. The Soviet Delegation stated that the essence of the question was the right of self-determination of Arabs and Jews in Palestine and supported the majority plan because it seemed impossible to reconcile the opposing points of view of the two peoples. The United Kingdom, as mandatory power in Palestine, consistently refrained from supporting either the majority or minority plan in the UNSCOP report.

After two weeks of general debate, the *Ad Hoc* Committee proceeded to the next step—discussion of 17 resolutions and amendments submitted by members during the debate. The Chairman proposed that no vote on matters of principle should be taken at that stage but that the problem should be further considered by subcommittees. A proposal that the Committee should first take decisions on the basic questions of substance, moved by the Soviet Union, was defeated, 14 to 26.

Two subcommittees were set up. Subcommittee 1 was composed of representatives of Canada, Czechoslovakia, Guatemala, Poland, South Africa, the Union of Soviet Socialist Republics, the United States, Uruguay, and Venezuela, and it was instructed, in accordance with a United States resolution, to consider the partition plan recommended by the majority of the UNSCOP Committee. Subcommittee 2 was composed of representatives of Afghanistan, Colombia (which

served briefly), Egypt, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, and Yemen; it was directed to consider proposals by the Arab nations for an independent unitary state in Palestine. The Chairman of the Committee asked the Vice Chairman and the Rapporteur to join with him as members of a conciliation committee to attempt to reduce the area of disagreement as much as possible between the Arabs and the Jews.

Representatives of the United Kingdom, as the mandatory power, attended the meetings of both subcommittees in order to furnish information and assistance. A representative of the Jewish Agency sat in Subcommittee 1, and a representative of the Arab Higher Committee in Subcommittee 2, to give such information and assistance as might be required. The Arab Higher Committee did not accept an invitation to sit with Subcommittee 1 when the latter discussed the question of boundaries, being prepared to assist only with regard to the question of the termination of the mandate and the creation of a unitary state.

SUBCOMMITTEE 1 ON PARTITION

The subcommittee on partition elected K. Pruszynski (Poland) as Chairman, and Rodríguez Fabregat (Uruguay) as Rapporteur. The subcommittee, after study of the UNSCOP majority plan by a number of small working groups, made many modifications in the plan. The views of the Jewish Agency regarding desirable changes were given detailed consideration. Major revisions in the plan were made with respect to boundaries, economic union, the City of Jerusalem, and procedures for implementation.

1. *Boundaries*

Subcommittee 1, and later the *Ad Hoc* Committee, accepted the boundaries of UNSCOP in principle but examined them in considerable detail with a view to reducing so far as was reasonably possible the size of the Arab minority in the Jewish state, and to taking into account considerations of security, communications, irrigation, and possibilities of future development. Jaffa was excluded from the Jewish state and created as an Arab enclave. This and other boundary changes resulted in a reduction of the Arab population in the Jewish state estimated at the time to be between 78,000 and 81,000. The United States proposed that the entire Negeb, the large desert area in the south of Palestine, should be transferred to the Arab state, in view of its predominantly Arab population and its relationship to Arab routes of communication, but such a change did not prove acceptable. However, the *Ad Hoc* Committee agreed that the town of Beersheba, an area to the northeast thereof, and a portion of the

Negeb along the Egyptian frontier should be incorporated in the Arab state. It was also agreed that a demarcation commission should fix the exact boundary lines on the spot.

2. *Economic Union*

The UNSCOP proposals concerning economic union were accepted with certain technical modifications, which were made with a view to reconciling the powers of the Joint Economic Board with the widest measure of economic autonomy for the two states. Certain provisions were also added to insure that the economic union would operate in a nondiscriminatory manner.

3. *The City of Jerusalem*

The Subcommittee rejected, with the support of the United States, proposals that Jerusalem should be divided into three parts, the Jewish area to become a Jewish enclave, the area of the Old City to be governed under an international regime, and the Arab area to become part of the Arab state. It was provided, however, that Jerusalem should be administered by the Trusteeship Council under a special statute, rather than under the international trusteeship system as recommended by UNSCOP. The Trusteeship Council was directed to elaborate and approve a detailed statute of the City of Jerusalem, designed "to protect and to preserve the unique spiritual and religious interests located in the City of the three great monotheistic faiths throughout the world, Christian, Jewish and Moslem", and "to foster co-operation among all the inhabitants of the City. . . ."

4. *Implementation of the Plan*

The most difficult question which arose in the discussions of the UNSCOP majority plan related to the implementation of the plan. It was necessary to determine the method by which powers of administration would be transferred from the mandatory power to the Arab and Jewish states and the means by which internal law and order would be maintained during the transitional period.

As the *Ad Hoc* Committee began its work, the Representative of the United Kingdom stated that the United Kingdom was ready to assume the responsibility for giving effect to any plan on which agreement was reached between the Arabs and the Jews. However, the United Kingdom would not feel able to implement a policy which was unacceptable to the Arabs and Jews. In the absence of a settlement, he continued, the United Kingdom must plan for an early withdrawal of British forces and of the British administration from Palestine. In a later meeting the British Representative declared that his Government would in no case accept responsibility for the

enforcement of United Nations recommendations, not acceptable to Arabs and Jews, either alone or in the major role. When Subcommittee 1 was drafting detailed proposals for the transfer of authority from the mandatory power to the new states, the British Representative stated that it was planned that the evacuation of the military forces of the mandatory power would be completed by August 1, 1948. While British troops remained in occupation in any part of Palestine, they would maintain law and order in those areas, but they would not enforce settlement against either Arabs or Jews. With respect to civil administration he stated that his Government reserved the right to lay down the mandate at any time after it became evident that the Assembly's decision was not acceptable to both Jews and Arabs. Thus the British civil administration would not necessarily be maintained throughout the intervening period until the completion of the military evacuation. When the two subcommittees made their reports to the *Ad Hoc* Committee, the United Kingdom made clear that it would not be prepared to transfer the authority of the Palestine Government to councils of government or local representatives, as both subcommittees had proposed, but would be prepared to hand over its authority to a United Nations commission. The commission could, if it desired, transfer its authority to local bodies.

Subcommittee 1 established a working group on implementation consisting of Canada, Guatemala, the Soviet Union, and the United States. The United States suggested an instantaneous transfer of authority from the mandatory power to the new sovereign states to take place on July 1, 1948. Up to that time the control of Palestine would be by the mandatory power. The General Assembly would establish a United Nations commission to advise and assist in the transfer process. The Soviet Union proposed a one-year transitional period, during which Palestine would be administered by a special commission operating under the direct authority of the Security Council. Guatemala suggested that a General Assembly committee of three delegates should administer Palestine for a brief transitional period. A Canadian proposal combined certain of the elements of the Soviet and United States plans. Independent Arab and Jewish states would be recognized immediately upon the withdrawal of the mandatory power. The Security Council, on the recommendation of the General Assembly and by virtue of its authority under articles 39 and 41 of the Charter, would take the necessary steps to carry out the partition plan.

The recommendations formulated by this working group were accepted by the Subcommittee. They contained two basic proposals. The first was that the British mandate should be terminated not later

than August 1, 1948. British armed forces should be progressively withdrawn, the withdrawal to be completed by August 1, 1948; and the independent Arab and Jewish states should come into existence two months thereafter, or in any case before October 1, 1948. The second was that the General Assembly was to appoint a United Nations commission composed of five members representing small powers, which would be guided by the recommendations of the Assembly and by such instructions as the Security Council might consider it necessary to issue. The measures taken by the commission would become immediately effective unless the commission had previously received contrary instructions from the Security Council. The commission would implement the Assembly's recommendations leading to the creation of the two states and would assist the mandatory power in performing its functions up to the time of the termination of the mandate. As finally decided, the Security Council was requested "to take the necessary measures as provided for in the plan for its implementation" and to "determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged" by the plan.

Subcommittee 1 also recommended that the Assembly request the mandatory power to continue its responsibility for the maintenance of law and order and the conduct of essential public services in Palestine during the period between the adoption of the resolution on Palestine and the termination of the mandate.

According to the plan, furthermore, the commission, on arrival in Palestine, would consult democratic Jewish and Arab parties and public organizations and select provisional councils of government for the two states. These councils, acting under the commission, would have full authority in the areas transferred to their control by the commission. This included authority over immigration and land regulation. They would establish administrative organs. As soon as possible each of them would recruit a militia under the general political and military control of the commission. The commission would progressively turn over to the provisional councils the functions of government as they were laid down by the mandatory power. The provisional councils would hold elections on democratic lines for constituent assemblies in the two states. These assemblies would draw up the constitutions of the states, incorporating in them as fundamental laws parts of a declaration to the United Nations. In addition, the constituent assemblies would choose the provisional governments to succeed the provisional councils. The plan also provided for the setting up of a preparatory commission to make arrangements for the Economic Union and a Joint Economic Board.

SUBCOMMITTEE 2 ON A UNITARY STATE

Subcommittee 2 elected Dr. A. González Fernández (Colombia) and Sir Zafrullah Khan (Pakistan) as Chairman and Rapporteur, respectively. After the resignation of Colombia from the Subcommittee, Sir Zafrullah Khan served also as Chairman.

Its report recommended the adoption of three draft resolutions. According to the first, the General Assembly, before recommending a solution of the Palestine problem, would request the International Court of Justice for an advisory opinion on eight legal questions connected with or arising from that problem, including questions concerning the competence of the United Nations to recommend or enforce any solution contrary to the wishes of the majority of the people of Palestine. The second recommended an international settlement of the problem of Jewish refugees and displaced persons and stated principles and proposed machinery for the cooperation of Member states in such a settlement. The third provided for the creation of a provisional government of the people of Palestine to which the authority of the mandatory power would be transferred, as a preparatory step to the setting up of an elected constituent assembly. The constitution framed by the latter would among other provisions contain guarantees regarding the Holy Places, human rights, and fundamental freedoms. Such guarantees were enumerated in the draft resolution.

ACTION OF THE GENERAL ASSEMBLY

The *Ad Hoc* Committee on Palestine rejected the recommendation of Subcommittee 2 that eight legal questions be referred to the International Court of Justice for advisory opinions. The first seven questions were defeated by 18 to 25, with 11 abstentions; the eighth, by 20 to 21, with 13 abstentions. The second recommendation of Subcommittee 2, relating to an international solution of the problem of Jewish refugees and displaced persons, was not adopted, the vote being 16 in favor and 16 against, with 26 abstentions. The third draft resolution, providing for the establishment of a unitary, democratic, and independent state, was then rejected by a vote of 12 in favor and 29 against, with 14 abstentions. The United States voted against all three proposals.

The report of Subcommittee 1 on partition, after being amended in minor details, was adopted by the *Ad Hoc* Committee by a vote of 25 in favor and 13 against, with 17 abstentions. The United States voted in favor of this resolution. Accordingly, the resolution lacked in the *Ad Hoc* Committee one vote of attaining the two-thirds majority which would be required in the plenary meeting.

The debates in the plenary meetings of the General Assembly on the report of the *Ad Hoc* Committee began on November 26. Two proposals were introduced on November 28. One, by Colombia, proposed that the whole question be referred back to the *Ad Hoc* Committee so that it might attempt to evolve a compromise solution. The other, by France, proposed that the final vote be deferred for 24 hours in the hope that a compromise proposal might be submitted. At the close of the general debate on November 28, the French proposal was put to the vote and carried, 25 to 15.

After the 24-hour interval, the Assembly met and heard the Lebanese Representative enumerate six general principles which might serve as the basis of a plan for an independent federal, or cantonal, state. He explained that his suggested compromise did not exclude other proposals capable of reconciling opposing views. The Representative of Iran submitted a proposal by which the *Ad Hoc* Committee would reconsider the Palestine question in the light of the Lebanese principles and reach a solution more widely satisfactory. The Syrian Representative supported this proposal. The Rapporteur of the *Ad Hoc* Committee stated that every possible effort at conciliation had been made by the Committee's conciliation group, but its efforts had failed. The Representatives of both the United States and the Soviet Union urged that the partition plan be voted on immediately. The United States Representative held that the federal plan submitted by Lebanon was substantially the same as that rejected by the majority of UNSCOP.

The President ruled that the resolution of the *Ad Hoc* Committee would, in accordance with the rules of procedure, be voted on first.[2] Thus, on November 29, the General Assembly, in a tense plenary meeting, came to the final vote on the report of the *Ad Hoc* Committee proposing partition with economic union. The report was adopted by the necessary two-thirds majority, the vote being 33 in favor, 13 against, and 10 abstentions, with Siam absent. The roll-call vote was as follows:

In favor—33

Australia	Costa Rica
Belgium	Czechoslovakia
Bolivia	Denmark
Brazil	Dominican Republic
Byelorussia	Ecuador
Canada	France

[2] Since the report was ultimately adopted, the Assembly did not vote on either the Colombian proposal or the Iranian proposal, both of which would have returned the whole question to the *Ad Hoc* Committee.

Guatemala
Haiti
Iceland
Liberia
Luxembourg
Netherlands
New Zealand
Nicaragua
Norway
Panama
Paraguay
Peru
Philippines
Poland
Sweden
Ukraine
Union of South Africa
U.S.S.R.
United States
Uruguay
Venezuela

Against—13

Afghanistan
Cuba
Egypt
Greece
India
Iran
Iraq
Lebanon
Pakistan
Saudi Arabia
Syria
Turkey
Yemen

Abstaining—10

Argentina
Chile
China
Colombia
El Salvador
Ethiopia
Honduras
Mexico
United Kingdom
Yugoslavia

The Assembly then named Bolivia, Czechoslovakia, Denmark, Panama, and the Philippines as members of the commission to implement the recommendations.

SUBSEQUENT STEPS

Since the close of the General Assembly the United Nations has begun the difficult task of placing into effect the recommendations thus reached.

The Security Council, on December 9, took cognizance of the plan approved by the General Assembly. The Trusteeship Council, in accordance with the instructions of the General Assembly, is now preparing a draft statute for administering the City of Jerusalem.[3]

The United Nations commission has now been organized and is holding its first meetings at Lake Success. The Secretary-General has appointed Dr. Ralph J. Bunche, Director of the Division of

[3] See p. 141.

Trusteeship, Department of Trusteeship and Information from Non-Self-Governing Territories, as Secretary of the commission.

ECONOMIC AND FINANCIAL PROBLEMS

The Second Committee of the General Assembly, which deals with economic and financial problems, had three broad tasks which will be summarized first: namely, the consideration of chapter II, Economic Questions, of the report of the Economic and Social Council, relief needs after the termination of UNRRA, and applications by Austria and Italy for admission to membership in the International Civil Aviation Organization. Its other tasks were handled jointly with the Third Committee and will be described last.

1. Report of the Economic and Social Council

Many subjects were covered in the general debate on chapter II of the report of the Economic and Social Council. Among them were: the organization and work of the Economic and Social Council, its commissions, subcommissions, and committees; need for improved coordination between organs of the United Nations and the specialized agencies; surveys of world economic trends; needs of economically underdeveloped areas and proposals that the Economic and Social Council establish economic commissions for Latin America and the Middle East; and the problem of European economic reconstruction.

The last subject precipitated the most vigorous debate in Committee. The Representatives of Poland and the Soviet Union took the lead in attacking the "Marshall Plan". They charged that it was a device to by-pass the United Nations, split Europe in two, and bring western Europe under the economic and political domination of the United States. These charges were immediately and effectively refuted by representatives of the 16 nations that had acted upon Secretary Marshall's suggestion through the Committee of European Economic Co-operation. Most of them, as well as the Representative of the United States, also deplored the fact that the governments of the eastern European countries had decided not to join in this cooperative undertaking.

The net result was that those parts of the Polish resolution which were directed against the European Recovery Program were deleted. In such substantially amended form, the resolution merely called upon Members of the United Nations to carry out all recommendations of the General Assembly and of the Economic and Social Council on economic and social matters and recommended that the Secretary-

General report annually to the Council and finally that the Council report to the General Assembly on steps taken by Members to give effect to such recommendations. This resolution was adopted by the General Assembly without debate or objection.

Another resolution growing out of the general debate on chapter II of the report of the Economic and Social Council concerned world economic conditions and trends. Representatives of Australia and Poland combined their separate resolutions on this subject into a single resolution which was adopted in the Second Committee unanimously after two Soviet amendments had been defeated. This resolution was adopted by the General Assembly without debate or objection. It recommends to the Economic and Social Council that it consider a survey of world economic conditions and trends at least annually; that such consideration include an analysis of major dislocations of needs and supplies; that the Council recommend appropriate measures to be taken by the General Assembly, by Members of the United Nations, and by the specialized agencies concerned; and that the Secretary-General assist the Council and its subsidiary organs by providing factual surveys and analyses of economic conditions and trends. This subject had already been dealt with by the Economic and Social Council, particularly during its Fourth Session.[4]

The general debate in the Second Committee resulted in a third resolution, proposed by the Representative of Lebanon, concerning a proposal to establish an economic commission for the Middle East. Many speakers referred to the earlier establishment by the Economic and Social Council of two existing commissions of this type—the Economic Commission for Europe and the Economic Commission for Asia and the Far East[5]—and to the action taken by the Economic and Social Council at its Fifth Session concerning a Chilean proposal to establish an economic commission for Latin America.[6] In the course of the discussion reference was made to a pertinent resolution of the Economic and Social Council, which calls for a study to be made of the general questions involved in the creation of regional economic commissions.[7] Before the final vote the Committee rejected a Soviet amendment which would have called upon the Economic and Social Council to consider adding to the membership of the Economic Commission for Asia and the Far East. The resolution as adopted by the Committee invites the Economic and Social Council to study the factors bearing specifically upon the establishment of an economic commission for the Middle East. This resolution was

[4] Cf. appendix I, p. 187.
[5] See p. 117.
[6] See p. 119.
[7] See p. 120.

adopted by the General Assembly by 43 votes to 0, with 4 abstentions. Several of the Latin American and other delegations spoke in favor of establishing a United Nations economic commission for Latin America. Study of this possibility is under way.

2. Membership in the International Civil Aviation Organization

In the discussion of the application of Austria for membership in the International Civil Aviation Organization, the only objection to a favorable decision came from the representatives of the Soviet Union and of certain other eastern European countries. They contended that Austria's application was premature, that country being still under the control of the Allied Control Commission and no treaty having been made. Representatives of Belgium, France, the United Kingdom, and the United States challenged this view. They held that there were no legal barriers to, and positive advantages to be gained from, Austria's membership in ICAO. The application was approved in committee by a vote of 30 to 4, with 8 abstentions. No opposition was expressed to the application of Italy for membership in the ICAO, and it was approved by a vote of 42 to 0, with 3 abstentions. In the plenary session of the General Assembly, Italy's application was also approved without objection, and Austria's application was adopted by a vote of 39 to 5, with 2 abstentions.

3. Relief Needs

Although the subject of relief needs after the termination of UNRRA was discussed in the Second Committee, no resolution was adopted. Representatives of certain delegations, including those of Poland and the U. S. S. R., deplored the termination of UNRRA before critical relief needs had been fully met, and they expressed dissatisfaction with the way in which such needs were being dealt with pursuant to the plan recommended by the General Assembly last year under a resolution passed during the Second Part of the First Session. The Representative of the United States presented up-to-date information concerning the foreign aid program of the United States, thus supplementing the information contained in the report of the Secretary-General on the contribution of various countries to the solution of the relief problem. The United States Representative also expressed the view that, if there had been any shortcomings in the handling of relief needs after the termination of UNRRA, they were the result of the inadequate amount of relief made available to needy countries and to the small number of countries which had furnished such relief. The action of the Gen-

eral Assembly merely took note of the fact that the Second Committee had considered this subject but had not adopted any resolution thereon.

4. Agreements With Specialized Agencies

Several matters of interest to the Second Committee were also of interest to the Third Committee, which is concerned with social, humanitarian, and cultural problems. Among these matters the most important was the question of approval of agreements between the United Nations and five specialized agencies: World Health Organization, Universal Postal Union, International Telecommunication Union, International Bank for Reconstruction and Development, and International Monetary Fund.

The agreements with these functional organizations had been negotiated by the Economic and Social Council [8] and were considered by the Joint Second and Third Committee—a committee composed of members of each of the main committees concerned and which operates practically as a main committee. The only extensive debate related to the agreements with the Bank and the Fund. The Representative of the U.S.S.R., supported by a few other delegations, contended that these agreements were in violation of certain provisions of the United Nations Charter, and expressed special concern over the fact that these agreements would not allow the Economic and Social Council or the General Assembly to inquire into particular loans by the Bank or currency transactions of the Fund. The constitutionality and reasonableness of these two agreements were defended strongly by representatives of other countries, including the Representative of the United States. They held that the special nature of these two agencies, under their articles of agreement, and the highly confidential manner in which they had to carry out their responsibilities in respect of particular loans or currency transactions, justified differences between the provisions of the agreements with these two agencies and those with other specialized agencies which had been or were about to be brought into formal relationship with the United Nations.

The agreements with the Bank and the Fund were approved by separate votes of 39 to 4, with 2 abstentions. The agreements with the WHO, the UPU, and the ITU were approved, without discussion, by the Joint Committee. Prior to these decisions, the Joint Committee rejected, 30 to 12, with 5 abstentions, a Yugoslav proposal to refer the agreements to a subcommittee for consideration in the light of the discussion, and further rejected, 29 to 5, with 12 abstentions, a Soviet

[8] See p. 123.

resolution recommending that the Economic and Social Council enter into negotiations with the Bank and the Fund so as to bring the agreements "into accordance with the Charter of the United Nations".

The plenary session of the General Assembly approved unanimously the agreements with the WHO, the UPU, and the ITU. The agreements with the Bank and the Fund were approved with only one abstention, that of the Soviet Union. By this action the General Assembly brought to nine the number of specialized agencies brought into formal relationship with the United Nations. Those previously brought into relationship are the Food and Agriculture Organization, the International Civil Aviation Organization, the International Labor Organization, and the United Nations Educational, Scientific and Cultural Organization.

The subject of coordination of the work of the United Nations and the specialized agencies was considered at special meetings of the Joint Second and Third Committee and the Fifth (Administrative and Budgetary) Committee. Several resolutions bearing on this subject were consolidated into a single resolution, which with certain amendments was adopted in committee unanimously and was then adopted without debate by the plenary session of the General Assembly. It recommends a number of steps designed to achieve closer and more effective relations between the United Nations and the specialized agencies, with particular emphasis on program and budgetary coordination.

From the point of view of the Second Committee this resolution is of particular significance in improving the coordination of the programs of work in the economic and financial fields on the part of the Economic and Social Council and its subsidiary organs, on the one hand, and of the specialized agencies in those fields on the other.[9]

SOCIAL, HUMANITARIAN, AND CULTURAL PROBLEMS

The social, humanitarian, and cultural problems considered by the General Assembly were subjects of extensive debate in the Third Committee. The questions involved fell into five groups of topics: (1) assistance programs for children and welfare; (2) questions concerning freedom of information; (3) refugee questions, which were related to the Palestine issue; (4) review of decisions taken by the Economic and Social Council; and (5) new action undertaken by the General Assembly. The following summary of the consideration of the problems in each of these groups suggests the growth of interest in the United Nations in these fields of far-reaching social concern.

[9] See also pp. 73, 123.

1. Assistance Programs

Assistance programs have played a major role in postwar international relations in view of the wreckage of a large part of Europe and Asia as a result of the war.

The fate of the children in the war-devastated countries represents a poignant problem for which every country has had sympathy. At its last session in December 1946 the General Assembly established an International Children's Emergency Fund as an integral part of the United Nations. This Fund, administered by a 26-nation Executive Board, devoted the first six or eight months of its life to organizing its program and raising from governments the voluntary contributions upon which it must chiefly depend. By the time the activities of the Fund were considered by the Third Committee, on October 22, 1947, approximately 30 million dollars had been obtained, and the first shipments of food for children were under way. The General Assembly took note of reports which had been made to it by the Fund and by the Economic and Social Council, and used the publicity of its own proceedings in calling public attention to the need for even greater contributions.

Discussed at the same time was the United Nations Appeal for Children. The UNAC is a fund-raising enterprise to secure voluntary contributions from individuals as distinguished from governments. Under the slogan, "Give One Day", it will conduct intensive campaigns in many countries of the world in February, March, or April of 1948. In the United States the UNAC will be combined with the American Overseas Aid campaign to be conducted by American voluntary agencies in a joint AOA–UNAC drive. The proceeds of the UNAC will be allocated for the relief of children according to agreements reached between the particular country concerned and the Secretary-General of the United Nations. In the United States joint beneficiaries of the AOA–UNAC drive will be the International Children's Emergency Fund and American volunteer agencies engaged in foreign relief. In its resolution on the Children's Fund, the General Assembly recommended to the people of all countries their cooperation for the success of the UNAC.

In another part of the social field the United Nations is itself carrying on assistance programs. These are the so-called "advisory social-welfare services" of the United Nations, administered under the Secretary-General and operating on the basis of two appropriations for 1947 and 1948, each totaling $670,186. These services consist of providing consultation by experts in the social-welfare field to appli-

cant Members of the United Nations and of granting fellowships to qualified social-welfare officials from countries in which social-welfare services were broken down by the war. Twenty-six consultants have been sent to nine different countries (as of September 1947) to assist the social-welfare ministries of those countries in setting up child-welfare clinics, veterans' rehabilitation centers, special government services for the aged and the blind, home-industries programs, training institutes for social-welfare workers, and other similar services. The emphasis has been laid, not upon furnishing direct assistance, but in working with government officials in such a way as to encourage the governments to build their own services. The fellowship program, involving 124 fellows from 12 countries, is, of course, a means of achieving the same end. In certain cases, moreover, special demonstration projects managed by United Nations experts have been conducted in countries particularly concerned with prosthetics programs (the furnishing of instruction in the use of artificial limbs, eyes, et cetera, for disabled veterans). In nearly all cases supplies of technical literature have supplemented the personal efforts of the expert consultants.

When the General Assembly considered at its Second Session the renewal of these services, it was faced with a plea for economy which was argued strongly on grounds of necessity by countries faced with an extreme dollar shortage. The British Delegation particularly felt obliged to propose the reduction of the program for 1948 to approximately one fourth of what it had been in 1947. The United States Delegation took the position that it did not in any way wish to urge a larger program upon the General Assembly than it felt itself able to maintain. At the same time the Delegation made clear its belief in the value of the program and declared itself willing, if the majority agreed, to support its share of a renewal of the program at the previous year's figure. A surprising chorus of endorsement was heard around the committee table as one country after another stated its belief in the value of this type of work. The figure finally voted for 1948 was the same as the 1947 figure, $670,186, but the Secretary-General was invited to explore with UNRRA the possibility of securing from UNRRA's residual funds the reimbursement for the program for 1948.

2. Freedom of Information

The approaching Conference on Freedom of Information, scheduled to convene in Geneva in March 1948, together with the extraordinary

efforts now being made by eastern European governments to gain a hearing among the populations of western countries, resulted in a heavy onslaught in the propaganda field by the delegations from eastern Europe at the Second Session of the General Assembly. The Economic and Social Council had approved in August a provisional agenda for the Conference; this agenda was attacked during the General Assembly meeting by the Soviet Union. At the same time the Yugoslav Delegation proposed in the Third Committee that Members of the United Nations should take urgent legislative and other measures in order to establish the responsibility of newspapers disseminating false and tendentious information which could have a detrimental effect upon friendly relations between nations. This was integrated with the efforts made in the First Committee by the Soviet Delegation to carry its proposal directed toward the prohibition of "war mongering", which was directed specifically against the United States as well as other countries.

This concerted propaganda had to be confronted in a number of forms and dealt with in several committees at different times. The basic point was the same in all these aspects: freedom of speech and its corollary, a free press. In the United States the principle of the free press is cherished, not only on the basis of long tradition and constitutional guarantees, but also on the essentially pragmatic basis of its workability. The United States Delegation argued over and over again that the principal task of the press is to gather, print, and disseminate the news entirely without fetters. It argued that, if present obstacles to freedom of information could be removed so that there could be, between different countries, a perfectly free exchange of information, there would thereby be established the most effective influences for the promotion of international understanding and good will. In the view put forward by the United States the greatest detriments to international understanding grew out of the monopolistic control of information by the countries which have a controlled press. In this connection the United States Delegation also pointed out that, when the controlled press is directed, as it frequently is directed, toward the vilification of supposedly friendly countries, the consequential effect upon good international relations becomes extremely serious. The United States did not deny that the free press has at times shown an irresponsible attitude and that the occasional utterances of certain persons and press organs in the United States were distressing and deplorable. To control irresponsible presentation of news or opinion, however, would lead to censorship of the press and would destroy the value of a system which is now based upon its ability to express a wide variety of opinion. The United States Delegation, therefore, took the view that the remedy lay in the exten-

sion of press freedom throughout the world rather than in its restriction within the United States and other like-minded countries. It based this argument upon the premise that the newspaper-reading community will itself sort out the good from the bad and will be able to arrive at more firmly based and more nearly correct opinions through exposure to many different opinions than if it is to be sheltered beneath the "protection" of only one voice—one determining authority. These views were widely supported.

The effort of the Soviet Union to write into the provisional agenda of the Conference on Freedom of Information a set of concrete tasks for the press, such as the extirpation of Fascism, was consequently overcome, it being the majority opinion that the consideration of press responsibilities was already adequately provided for in the agenda of the Conference on Freedom of Information, as the United States had contended. An Indian resolution to transmit the record of the discussion in the Third Committee to the Economic and Social Council for further consideration in its final adoption of the agenda was at first opposed by the United States but was later carried in the plenary meeting.

The Yugoslav proposal concerning slanderous dissemination was withdrawn after the introduction of a French resolution which proved almost unanimously acceptable. The French proposal invited members to make studies as to what they might do in their national sphere, within the limits of constitutional procedures, to correct false or distorted reports and to present such reports to the forthcoming Conference. Acceptance by the United States of this resolution was based on the ground that the United States would leave nothing undone within the limits of its constitutional procedures to bring about a greater sense of responsibility in the irresponsible margin of the free press within the United States.

3. Refugees and Displaced Persons; Palestine Immigration

The question of immigration was raised by the Arab states and by the countries of eastern Europe. The Arab states, concerned with this question as part of the Palestine problem, directed their effort in this respect toward securing the passage of a resolution of general character by the General Assembly having the effect of making "populational movements likely to affect friendly relations between nations" dependent upon the consent of the states or peoples directly concerned. At the same time, the eastern European countries wanted to prohibit the recruitment, out of the camps for displaced persons, of displaced

persons for resettlement westward. Both groups of countries combined in supporting a formula essentially similar to the Arab formula.

The western countries, which were interested, on the one hand, in opening Palestine to Jewish immigration and, on the other hand, in removing from the displaced-persons camps for resettlement the great body of refugees and displaced persons who did not wish to return to their homes in eastern Europe, could not admit either that the countries of eastern Europe should be put in a position where they could claim a concern with resettlement projects or that the Arab states should be similarly able to veto immigration into Palestine. At the same time, the western countries were anxious, for the purpose of advancing the work of the International Refugee Organization, to obtain endorsement by the General Assembly for the general proposition that all countries should do whatever they could to further resettlement projects. Resettlement in countries other than Palestine was also favored by the Arabs as a means of reducing the pressure of the Jewish population of Europe to get to Palestine. In achieving the compromise language finally adopted, the eastern countries dropped their support of a formula which would have recognized their interest in, and possible right to prohibit, resettlement movements.

4. Review of Decisions by the Economic and Social Council

The General Assembly had placed before it a variety of decisions by the Economic and Social Council, in chapter III of the report of that Council, which the Assembly was called upon to take note of or to approve.

First, existing conventions for the prohibition of the traffic in women and children and in obscene literature had been amended by the Economic and Social Council in order to transfer to the United Nations certain mechanical functions connected with the implementation of the conventions previously exercised under the League of Nations. No difficulty arose out of the transfer of these functions, which was based on the precedent established the year before in connection with a similar transfer of functions for international conventions dealing with the control of narcotic drugs. A political controversy, however, was introduced into this highly technical subject by the Soviet Union, which offered a proposal to the General Assembly outside the area of the transfer question. The Soviet proposal was to the effect that there should be struck out of the three conventions in question an article which permitted states to adhere separately to the conventions on behalf of each of their individual non-self-governing territories.

The Soviet Union alleged that this formula represented an escape clause, particularly for the United Kingdom, under which the United Kingdom could maintain in different parts of the world specific colonial areas where this illicit and vicious traffic could continue. The United States fully supported the United Kingdom in its vigorous rebuttal of this misleading argument, stating that the possibility of separate accession by colonial governments was a traditional procedure in treaty-making and represented, furthermore, a recognition of the existing powers of self-government of some dependent areas in such matters. It was a means, the United Kingdom argued, of giving their colonies the right to decide for themselves before these international obligations were entered into on their behalf. To deprive the colonies of this right would be to deprive them of a power of local self-government already achieved. The United Kingdom also pointed out that it had adhered to the conventions on behalf of almost all its dependencies and that there could be no question, therefore, of maintaining areas free for the illicit traffic. In a confused debate in which technical considerations were lost sight of, the Soviet amendment was carried in the plenary meeting of the Assembly by a small margin.

The right of trade unions to freedom of association was a matter which the World Federation of Trade Unions had raised in the Economic and Social Council. The WFTU maintained that trade-union rights were threatened in certain areas of the world and proposed that the Economic and Social Council should at once declare itself with regard to these rights and should establish a committee to safeguard these rights. The Economic and Social Council, however, referred the whole question to the International Labor Organization, which, in July 1947, undertook a careful study, made a statement on the question, set up a program for future work in this field, and referred the matter back to the Economic and Social Council. The Council approved the action of the International Labor Organization and transmitted the ILO report to the General Assembly. In the General Assembly the countries of eastern Europe endeavored to return to the original proposition of the World Federation of Trade Unions, namely, that some immediate action should be taken and that the ILO report should be disapproved. Underlying the Soviet contention were its inability to accept an ILO report, since the Soviet Union is not a member of the ILO, and its belief that the ILO, with its representation of governments and employers as well as of workers, was not a proper body to establish the rights of the workers. The United States Delegation argued that the International Labor Organization was the specialized agency competent to deal with questions in the field of labor and that the completion of the work must therefore be left to it. It also defended the

conclusions and principles which the ILO had arrived at. On this particular issue the overwhelming majority of the members of the General Assembly voted in favor of the views put forward by the United States.

Actions of the Economic and Social Council in the purview of the Third Committee were approved by the Assembly without difficulty. A Peruvian request for an inquiry into the effects of the chewing of coca leaves by persons in the upper regions of the Andes mountains was referred to the Economic and Social Council for urgent consideration. A resolution was passed urging Members of the United Nations which had not already done so to become parties to the narcotics protocols.

The transfer to the World Health Organization of certain assets held by the United Nations by transfer from the League of Nations was approved, and a resolution was also adopted urging additional accessions to the constitution of the World Health Organization so as to bring that Organization legally into existence. An Argentine proposal, under which United Nations Members attending regional meetings concerned with social questions should communicate to the United Nations the conclusions reached and studies made, was unanimously adopted.

5. New Action

New action in the social and cultural fields by the General Assembly at its Second Session took two forms: (1) exchange of workers and (2) teaching of the principles of the Charter of the United Nations in the schools of Member nations.

The French Delegation submitted to the General Assembly a resolution which invited the Secretary-General to consider the terms on which members who were agreeable could arrange exchanges of manual workers who wished to take courses to improve the knowledge of their trade and to study on the spot the economic and social problems confronting fellow workers in other countries. Members were generally sympathetic to the idea embodied in this proposal, but it was felt that the purpose of the resolution could be achieved equally well by leaving the implementation of the principle to bilateral arrangements between members. A British amendment provided simply that the Assembly should urge members who were agreeable to arrange with each other by direct agreement the terms and conditions necessary to carry out the purpose of the French resolution. The United States supported this amendment, which was adopted by a substantial majority, on the ground that international machinery was scarcely necessary in this matter.

A resolution recommending to members that they take urgent measures to encourage the teaching in their own schools of the principles, purposes, background, structure, and activities of the United Nations was introduced by the Norwegian Delegation. Implementation of the resolution was left in this original draft to the Secretary-General. The United States Delegation favored the object of the proposal, with due regard to the constitutional responsibilities for educational matters within the United States, and was active in obtaining the necessary adjustments in the resolution. It also strongly supported a Lebanese amendment to the effect that UNESCO should be given the responsibility for furnishing aid and assistance to such Members of the United Nations as might wish it in connection with the implementation of this resolution. In the final discussion on this subject the Secretary-General was given the function of securing reports from Member nations on what they had done to implement the resolution. In the United States, an earnest responsibility now lies upon educators generally to promote vigorously, in their own jurisdictions, the constructive purposes of this resolution.

PROBLEMS OF NON-SELF-GOVERNING PEOPLES AND TERRITORIES

The work of the United Nations in discharging the important responsibilities vested in it under the Charter, in connection with the international trusteeship system and with the advancement of the non-self-governing peoples, generally involves action by several principal organs. For this reason, and in view of the basically continuous character of the Trusteeship Council's and the Assembly's activities in this respect, this field of problems is considered as a whole in section IV below.

ADMINISTRATIVE AND BUDGETARY PROBLEMS

Administrative and budgetary problems are involved in almost every aspect of the theory and functioning of the United Nations. By decision of the General Assembly, any recommendation by a committee of the General Assembly involving expenditures must be considered in the Fifth Committee (Administrative and Budgetary Questions) before the plenary meeting of the Assembly will undertake to decide upon such recommendation.

The principal financial decisions of the second regular session of the General Assembly were to appropriate supplementary funds for

the 1947 budget, to make appropriations to finance the United Nations in 1948, to fix the scale of Member contributions in 1948, and to maintain the working capital fund at its present level.

1. Budget, 1948

The General Assembly appropriated $34,825,195 for the 1948 budget, an increase of approximately $6,000,000 over appropriations for 1947. The final figure was adopted after long and painstaking examination and re-examination of the Secretary-General's original estimate of approximately $39,500,000. The General Assembly's standing committee of nine experts serving in their individual capacities—the Advisory Committee on Administrative and Budgetary Questions—devoted many weeks during the summer to the study of these estimates and recommended substantial reductions. The Secretary-General himself, on the basis of an internal management survey, was able not only to endorse the Advisory Committee's recommendations but to submit even lower estimates to the General Assembly. The Fifth Committee labored over the revised estimates for eight weeks, with the continuing assistance of the Advisory Committee, in an atmosphere of economy which was rendered urgent by the world shortage of United States dollars. These combined efforts reduced the original estimates by almost $7,000,000. Approximately $2,300,000 must be offset against these savings because of the adoption of new major projects, three of which were initiated by and a fourth supported by the United States, i.e. the Special Committee on the Balkan Question, the Temporary Commission on Korea, the Interim Committee of the General Assembly, and the holding of the third regular session of the General Assembly in Europe.

The increase in planned expenditure in 1948 over appropriations for 1947 is the inevitable product of the expanding activities of the United Nations. It is a sign of healthy growth, not of extravagance. The thorough, sometimes tedious, process of planning and adopting the budget is a guarantee against expenditures which are not warranted by real international needs.

The General Assembly also adopted a revised budget for the financial year 1947. It had appropriated $27,740,000 a year before, but unforeseen and emergency expenditures during 1947 necessitated withdrawals from the working capital fund which will now be reimbursed by the supplemental appropriation. These expenditures, amounting to about $2,800,000, were for such purposes as the Economic Commissions for Europe and Asia, the Security Council's Greek Commission, the Special Session of the General Assembly, the Special Committee on Pales-

tine, the Trusteeship Council's Mission to Western Samoa, and the United Nations Appeal for Children. Most of these expenditures were absorbed into the original appropriations by economical administration of the regular 1947 program as the result of joint efforts by the Secretary-General and the Advisory Committee. It proved necessary to appropriate only an additional $876,568 to reimburse the working capital fund.

2. Scale of Member Contributions

The General Assembly adopted a scale of Member contributions for 1948 which is identical with the 1947 scale, except in minor adjustments. The United States share will again be 39.89 percent of the total assessments. In agreeing to recommend to the Congress that it appropriate funds for the United States contribution on this basis, the United States Delegation indicated clearly that its acceptance of 39.89 percent was in recognition of the continued economic difficulties of other Members and of the deterioration, in many cases, of their dollar positions. The Delegation restated the basic position of the United States, which was expressed last year by Senator Vandenberg as the United States Representative on the Fifth Committee, that normally no one Member should contribute more than one third of the administrative expenses of the United Nations. The atmosphere in the Assembly, however, reflecting the world shortage of dollar exchange, resulted in little support for a reduction this year or for binding the Assembly to a future reduction. The Fifth Committee deferred action on a proposal by the United States that the General Assembly recognize the principle of a 33.33 percent ceiling in normal times.

Total Member assessments for the 1948 budget will be $34,063,468. Revenue from other sources in the amount of $761.727 accounts for the difference between this figure and the total budget. Of the total assessment the United States will be assessed 39.89 percent, or $13,587,917. Taking account of assessments for the 1947 supplemental budget and a small adjustment in 1946 contributions, the United States total assessment in 1948 will be $13,841,032.

3. Working Capital Fund

The working capital fund is a cash reserve established initially by Members' advances and standing to the credit of the Members. It provides funds to meet ordinary expenditures pending receipt of con-

tributions from Members. The United States, for example, is normally not in a position to pay its share until six or seven months after the beginning of the Organization's financial year, because our financial year begins on July 1 while that of the United Nations begins on January 1. The working capital fund is also a source of funds to meet unforeseen and extraordinary expenses which could not be anticipated in the ordinary budget and which the Secretary-General is authorized to meet in accordance with specific safeguards. Finally, it enables the Secretary-General, under certain conditions, to make self-liquidating loans to specialized agencies. Withdrawals from the working capital fund for unforeseen and extraordinary expenses which cannot be absorbed in the regular budget are replenished by subsequent supplemental appropriations as in the case of the supplemental budget for 1947.

The General Assembly decided to maintain the working capital fund at the present level of $20,000,000 in view of the inevitable lag in the receipt of contributions and the size of other demands on the fund which are likely in 1948. Maintenance of the working capital fund at this level does not involve additional financial burden on Members.

The United States proposed that the Secretary-General be authorized to advance from the working capital fund sums up to $5,000,000 for emergency assistance to the Free Territory of Trieste with the approval of the Security Council. The purpose of this proposal was to guarantee assistance to the Council, if required, in the fulfilment of its responsibility of assuring the independence and integrity of, and the maintenance of public order and security in, the Free Territory. Economic assistance may be necessary to maintain supplies of essential foodstuffs and raw materials in the early months following the appointment of a Governor.[11] The proposal was debated at length in the Fifth Committee and approved by the General Assembly. The working capital fund resolution provides that any advances which are not repaid by the Free Territory shall be reimbursed to the working capital fund by Members in accordance with a special scale of contributions for "operational" expenses as distinct from the regular scale for "administrative" expenses. If such a special scale is necessary, it will be formulated at the third regular session of the General Assembly.

The General Assembly also authorized the Secretary-General to advance up to $2,000,000 from the working capital fund to defray expenditures required to implement the Palestine decision.

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[11] See p. 95.

4. Financial Relations With Specialized Agencies

The Second Part of the First Session of the General Assembly (1946) considered the complex problem of budgetary and financial relations between the United Nations and the specialized agencies, recognizing that uncoordinated growth of the budgets of a number of international organizations would lead to confusion and possibly to unnecessary expenditures by Member governments. It adopted a resolution requesting the Secretary-General to explore possible arrangements by which the budgets of the several specialized agencies might be presented to the General Assembly for approval and to develop arrangements for common fiscal controls and common budgetary, administrative, and financial practices. The establishment in 1947 of a Coordination Committee, consisting of the Secretary-General of the United Nations and the administrative heads of the specialized agencies, constituted a useful step.

The Second Session of the General Assembly adopted two resolutions which are calculated further to rationalize the budgetary and administrative arrangements of the several organizations. One of the resolutions deals specifically with budgetary and financial relations. It transmits to the specialized agencies for their consideration a report on the budgets and budgetary practices of the specialized agencies by the Advisory Committee as amended by the Fifth Committee. The Advisory Committee had recommended that the specialized agencies endeavor to facilitate the consideration by their executive authorities of recommendations which the General Assembly might make to them. It also recommended that specialized agencies should take steps, where such had not already been taken, to assure that their budget estimates would be subjected to a detailed examination by a committee of experts in the fields of administration or finance. The Advisory Committee recommended further that the specialized agencies which have not already done so should take steps to become members of the United Nations Joint Staff Pensions Scheme and that every effort should be made by this and other means to develop the common conditions of service which are necessary for the creation of an international civil service.

The second resolution which was adopted by the General Assembly deals primarily with the problem of coordinating activities and programs, but it is also concerned with budgetary questions. It calls upon the specialized agencies, as appropriate under the terms of their respective agreements with the United Nations, to transmit their budgets or budget estimates annually according to a schedule which will enable the Secretary-General to incorporate them as information annexes to his own annual budget estimates for transmittal to the

General Assembly. Provision is made for recommendations of the Economic and Social Council regarding programs of the specialized agencies to be available to the Advisory Committee before it reviews their budgets. The resolution also requests the Secretary-General, in consultation with the specialized agencies and with the Advisory Committee, to prepare a report with recommendations on measures for achieving greater uniformity in the several budgets with a view to providing a sound basis for comparison and on the feasibility of improved budgetary coordination between the United Nations and the specialized agencies. The United States Delegation and other delegations in the Fifth Committee affirmed their understanding that "improved budgetary coordination" was broad enough to envisage the possibility of establishing eventually a consolidated or common budget for the United Nations and the specialized agencies. Finally, the resolution requests the Secretary-General, in consultation with the specialized agencies and the Advisory Committee, to promote the development of similar budgetary, administrative, and financial practices in the United Nations and the specialized agencies.

5. Administrative Problems of the Secretariat

In two years of existence the Secretariat has become a full-fledged international administration, serving the General Assembly, the councils, and their commissions and subcommissions.[12] It had, at the end of August 1947, approximately 3,000 employees in New York and 600 in Geneva and other field offices. Nationals of 49 Member states were represented. A management survey which the Secretary-General instituted in 1947 is continuing its operations with a view to assuring a constant improvement of efficiency in the staffing and administration of the several departments.

The General Assembly adopted two important resolutions concerning the Secretariat, one dealing with the geographic distribution of nationalities in the Secretariat, the other with conditions of service.

The United Nations Charter stipulates that the paramount consideration in the employment of personnel "shall be the necessity of securing the highest standards of efficiency, competence, and integrity", due regard being paid to the "importance of recruiting the staff on as wide a geographical basis as possible". The exigencies of the situation in which the Secretariat has had to develop in its first years and the necessity for accelerated recruitment have had the inevitable effect of bringing some persons into the Secretariat who do not possess the high standards contemplated by the Charter and of causing a pre-

[12] See below, section VI, Secretariat, p. 148.

dominance of certain nationalities. The General Assembly requested the Secretary-General to review the background and experience of the present members of the staff with a view to replacing those who do not meet the standards.

Although the geographic distribution in the Secretariat has broadened during the last year, the majority of Members have a disproportionately small number of their nationals in the Secretariat. The General Assembly therefore requested the Secretary-General also to take steps to improve the geographic distribution in the Secretariat and, as soon as possible, to engage personnel from those countries which do not have any of their nationals on the staff of the Organization.

The problem of how to implement the Organization's policy of equal pay for equal work in the Secretariat has not been solved satisfactorily, although both parts of the General Assembly's First Session and the Second Session have given it careful attention. As a temporary measure to provide equal net pay for equal work the General Assembly authorized the Secretary-General in 1946 to refund to those employees who are subject to national income taxation the amounts paid by them in taxes on their United Nations salaries. In as much as nationals of only three Members have been involved, other Members object to making what they regard as indirect payments into certain national treasuries. They assert that equality among employees is thus achieved at the expense of equity among Members. An annual amount of approximately $500,000 is involved, the bulk of which is for the benefit of United States nationals. At one stage of its debate the Fifth Committee decided (later reversing its decision) to continue the practice of tax refunds but to assess extra contributions accordingly to those Members whose nationals receive such refunds, rather than to charge the refunds to the regular budget. The United States Delegation objected strenuously on the ground that, if the General Assembly decided to continue the tax refund practice, the cost should be borne by all Members in accordance with the regular scale of contributions. The United States Delegation affirmed repeatedly that it would not oppose termination of the Secretary-General's refund authority. It was clear that, although they were impressed by the legal and administrative difficulties which would attend termination forthwith of tax refunds, a large majority of Members would object to continuation of the practice indefinitely.

The General Assembly finally adopted a compromise resolution which continues the Secretary-General's authority to make refunds for one more year but invites him to omit from all future personnel contracts tax-refund clauses in the absence of annual authorization by the General Assembly. The resolution again requests Members who

have not done so to exempt their nationals from taxation on income received from the United Nations. It also requests the Secretary-General to submit to the next session of the General Assembly a plan which would provide for contributions, as a tax equivalent, by all staff members to the Organization according to an authorized scale and thereby assure that the Secretariat does not exist as a tax-privileged group. Finally, Members are requested, pending the granting of tax exemption, to grant relief from the double taxation which would otherwise result from the operation of a staff contribution scheme.

6. Other Administrative Action

The General Assembly approved the appointment of Marriner S. Eccles, Chairman of the Board of Governors of the United States Federal Reserve System, to be a member of the newly established three-man Investments Committee, which advises the Secretary-General on the investment of the staff pension fund and of other funds under the control of the United Nations.

The provisional financial regulations of the United Nations were reviewed and amended.

Following up its decision at the Second Part of the First Session to use simultaneous interpretation on an experimental basis, the General Assembly decided to adopt simultaneous interpretation as a permanent system, to be used alternatively in conjunction with consecutive interpretation. Wireless equipment for use in the chambers of the General Assembly, the Security Council, and the Economic and Social Council and for conferences held away from headquarters is to be purchased. The use of such simultaneous interpretation proved to be practical in extraordinary degree and resulted in much economy of time and, therefore, of expense.

INTERNATIONAL LEGAL PROBLEMS

Profound changes occurring in international relations and their wide effects have been reflected in the work of the General Assembly and its Sixth Committee, which considers legal questions. This Committee also has responsibilities in its field in connection with internal United Nations organizational questions. The more important developments during 1947 in these respects are indicated below.

1. Codification of International Law

Pursuant to article 13 of the Charter, the General Assembly created the International Law Commission for the purpose of encouraging the progressive development and codification of international law.

Its members will be elected at the third regular session of the Assembly. The United Nations Secretariat will carry out the preparatory work which may be necessary for beginning the activity of the Commission.

The Commission will be composed of 15 persons of recognized competence in international law, representing the chief forms of civilization and the basic legal systems of the world. Its members will be nominated by the governments of Members of the United Nations. They will be elected by the Assembly and will serve for three years. The Commission will sit at the headquarters of the United Nations but will have the right to hold meetings elsewhere after consultation with the Secretary-General.

For the purpose of the development of international law, the Commission will prepare draft conventions. With respect to codification, it will prepare drafts in the form of articles which will be incorporated, with appropriate comments, in its report to the General Assembly. In connection with this report the Commission has been empowered to recommend to the Assembly to take no action, to take note or adopt the report by resolution, to recommend the draft to members with a view to a conclusion of a convention, or to convoke a conference to conclude a convention.

The provision for the adoption of the Commission's reports by the Assembly was a great step forward. Such adoption would add governmental authority behind the drafts, which will be in the nature of restatements of law. The United States Delegation took an active part in urging approval of this provision by the Assembly.

The Commission will consider ways and means of making the evidence of customary international law more readily available. It has the authority to consult with any international or national organization, official or unofficial, if it believes that such procedure may help in the performance of its functions.

The creation of the Commission had been proposed by the Committee on the Progressive Development of International Law and its Codification, which had been created in December 1946 for the purpose of preparing plans for the development and codification of international law. Its establishment had been proposed by the Delegations of the United States and China.

2. Greater Use of the International Court of Justice

The General Assembly recommended that organs of the United Nations and the specialized agencies should, from time to time, review the important points of law which have arisen in the course of their activities, including points of law relating to the interpretation of the Charter of the United Nations or the constitutions of the special-

ized agencies, and, if duly authorized according to article 96, paragraph 2, of the Charter, should refer them to the International Court of Justice for an advisory opinion. In placing this item on the agenda, the Australian Delegation proposed greater use of the Court not only in connection with disputes of a legal character but also in connection with legal aspects of disputes and situations.

In the Sixth Committee the discussion revealed a very general feeling which, though not shared by all the members of the Committee, indicated concern at the indifference too often shown for the legal aspects of matters and at the disregard shown in recent years for arbitral and judicial methods. The subcommittee which dealt with this subject had instructed its rapporteur to make it clear to the Sixth Committee that it was desirable that requests for opinions be submitted, as far as possible, while the matter is still pending and preferably at an early stage; and that the organs of the United Nations and the specialized agencies were, of course, in no way relieved of the task of interpreting provisions on which their activity depends.

The opinion was expressed by Soviet and certain eastern European representatives, but rejected by the Committee, that the Court was not competent to interpret the Charter. An amendment to this effect was proposed by the Polish Delegation but rejected with only six votes in favor. The only question involved was whether the Charter or the Statute of the Court prevented consultative opinions from being requested or given because they related to a point of interpretation of the Charter.

Another resolution of the General Assembly authorized the Trusteeship Council, under article 96, paragraph 2, of the Charter, to request advisory opinions on legal questions arising within the scope of its activities.

A third resolution drew the attention of Members of the United Nations which have not yet accepted the compulsory jurisdiction of the Court to the desirability of the greatest possible number of states accepting this jurisdiction with as few reservations as possible. It also called attention to the desirability of inserting, whenever possible, in treaties and conventions arbitral clauses providing for the submission of disputes to the Court.

Finally, the General Assembly recommended that states, whether Members of the United Nations or not, should submit their legal disputes to the Court.

3. Rights and Duties of States

The Delegation of Panama submitted last year, at the Second Part of the First Session of the General Assembly, a draft declaration of

the rights and duties of states. The Assembly then recommended that the Members of the United Nations and national and international bodies be requested to submit their comments on this draft. The draft was submitted to the Committee on the Progressive Development of International Law and its Codification. The Committee, noting that a very limited number of comments from Members of the United Nations had been received and considering that a majority of these comments recommended postponement of the study of the substance of this question, recommended that the General Assembly this year entrust further studies concerning this subject to the International Law Commission.

At its Second Session the Assembly directed the Commission to prepare a draft declaration on the rights and duties of states, taking as a basis for discussion the draft declaration presented by Panama and taking into consideration other documents. The United Nations Secretary-General was requested to undertake the necessary preparatory work on the draft declaration.

4. Charter of the Nürnberg Tribunal

In December 1946, at the Second Part of its First Session, the General Assembly directed the Committee on the Progressive Development of International Law and its Codification to treat as a matter of primary importance plans for the formulation of the principles of international law recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal. The United States Delegation had taken the initiative in introducing a proposal to this effect. The resolution of the General Assembly was a reaffirmation by all the United Nations of the above-mentioned legal principles.

The Assembly, in November 1947, directed the International Law Commission to formulate the principles of international law indicated above and to prepare a draft code of offenses against the peace and security of mankind, indicating clearly the place to be accorded to the said principles.

5. The Crime of Genocide

At the Second Part of its First Session the General Assembly had affirmed that genocide, which is a denial of the right of existence to entire human groups, is a crime under international law. It had also requested the Economic and Social Council to undertake studies with a view to drawing up a draft convention on the crime of genocide.

In November 1947 the Assembly requested the Council to continue the work it had begun and to proceed with the completion of a con-

vention taking into account that the International Law Commission has been charged with the formulation of the principles recognized in the Charter of the Nürnberg Tribunal and with the preparation of a draft code of offenses against the peace and security of mankind. The Council will submit a report on this question to the third regular session of the Assembly. The United States Delegation took an active part not only in formulating the original resolution but also in expediting consideration of this matter.

6. War Criminals

In February 1946 the General Assembly adopted, on the proposal of Byelorussia, a resolution regarding the extradition and punishment of war criminals. In August 1947 Yugoslavia asked the Secretary-General of the United Nations to place on the agenda of the Second Session of the Assembly the question of the recommendations to be made to insure the surrender of war criminals, traitors, and quislings to the states where the crimes were committed. This item was referred to the Sixth Committee.

The draft resolution proposed by Yugoslavia, if adopted, would have constituted a finding that certain Members of the United Nations were not carrying out the recommendations of the General Assembly resolution of February 1946. In open debate Yugoslavia made charges against the United States, the United Kingdom and, to a less degree, France, of failure to carry out their obligations with respect to war criminals and quislings. A Soviet amendment was also accompanied by distortions and charges against the United States and the United Kingdom. These charges were emphatically denied by the Delegations of the United States and the United Kingdom. They recalled the steps taken by their Governments and declared their firm intention of prosecuting war criminals. At the same time they insisted that mere allegations were not sufficient to justify extradition and that identity and guilt of the persons sought should be adequately established by *prima facie* evidence.

The Assembly approved the report of the Sixth Committee on war criminals, which recommended for adoption a resolution introduced by the United Kingdom after collaboration with the United States. The resolution notes what has been done thus far in the surrender and punishment of war criminals, recommends that Members of the United Nations continue to carry out their responsibilities for the surrender of war criminals, and states that Members desiring such surrender should request it as soon as possible and should support their requests with sufficient evidence to establish that a *prima facie* case exists as to identity and guilt. The requirement as to the *prima*

facie evidence constitutes a great forward step. A provision in the resolution that trials of war criminals and traitors, like all other trials, should be governed by the principles of justice, law, and evidence constitutes another great step in upholding the rule of law.

7. Registration and Publication of Treaties

Every treaty and every international agreement entered into by any Member of the United Nations after the entry into force of the Charter must, under article 102 of the Charter, be registered with the Secretariat and published by it as soon as possible.

In a report dated September 4, 1947, the Secretary-General advised the General Assembly of the progress made with respect to the registration and publication of treaties and international agreements. This report was referred to the Sixth Committee. It indicated that the United Nations Secretariat had received, up to September 3, 1947, 408 treaties for registration or for filing and recording. Difficulties had been encountered by the Secretariat whenever it had sought to define in detail the scope of the term *international agreement* contained in article 102 of the Charter. The General Assembly took note of the report and drew the attention of the Members of the United Nations to their obligations in this respect.

8. Privileges and Immunities

In February 1946 the General Assembly adopted a resolution recommending coordination and unification as far as possible of the privileges and immunities enjoyed by the United Nations and the various specialized agencies. Pursuant to this resolution, the Assembly, in December 1947, adopted a draft convention which falls into two distinct parts. The first part consists of standard clauses drawn up on the basis of the convention on the privileges and immunities of the United Nations, the second part consisting of nine draft annexes, one relating to each of the specialized agencies at present in relationship with the United Nations.[18]

The privileges and immunities of each of the specialized agencies are the standard clauses as modified by the annex relating to that agency. The standard clauses, together with the formal provisions,

[18] (*a*) The International Labor Organization; (*b*) The Food and Agriculture Organization of the United Nations; (*c*) The United Nations Educational, Scientific and Cultural Organization; (*d*) The International Civil Aviation Organization; (*e*) The International Monetary Fund; (*f*) The International Bank for Reconstruction and Development; (*g*) The World Health Organization; (*h*) The Universal Postal Union; and (*i*) The International Telecommunication Union.

are definitive, but the annexes are recommendations to each of the specialized agencies, the latter being entrusted with the task of adopting the final text of these annexes according to their respective constitutional procedures. The convention becomes applicable to each specialized agency when the final text of its annex is received by the Secretary-General of the United Nations. States are bound only when they deposit an instrument of accession to the convention, and when making this deposit they may specify those specialized agencies covered by this instrument. Subsequently, by further notifications, they may extend their obligations to further specialized agencies. The convention, therefore, in relation to each specialized agency, means the standard clauses as modified by the annex relating to that agency.

This convention has several advantages: it incorporates the privileges and immunities of all the specialized agencies in a single convention; it follows the principle (contained in articles 104 and 105 of the Charter with regard to the United Nations itself) of according to each specialized agency only the privileges and immunities necessary for the performance of its functions; subject to that principle, it unifies the privileges as far as possible; and it enables states which are not Members of the United Nations to participate in the discussion of the privileges of those agencies to which they belong, since the agencies are to decide the final text of the annexes.

The Soviet Delegation abstained from voting on this convention. The Delegation of the United States made a general reservation with respect to any exemption in the United States of citizens of the United States from taxes or national service.

Another resolution of the Assembly relates to specialized agencies which may hereafter be brought into relationship with the United Nations. It recommends that the constitutional instrument of any such agency should not contain detailed conditions relating to privileges and immunities but should provide that such privileges be governed by the convention modified as required.

A third resolution recommends to Members of the United Nations, pending formal accession to the convention, to accord to specialized agencies, as far as possible, the privileges envisaged by the convention. With respect to this resolution the Representative of the United States stated for the record that, in the United States, Public Law 291 of the 79th Congress goes a long way in granting such privileges and immunities and is considered as sufficient compliance with that resolution.

9. Improvement of Procedures of the General Assembly

By a resolution of December 15, 1946, the General Assembly directed the Secretary-General to make a study of its provisional rules of pro-

cedure and of methods for economizing its time, and appointed a Committee on Procedures and Organization, composed of 15 members, which would meet one week before the opening of the second regular session to consider the report of the Secretary-General and to report to the Assembly on the subject. The Committee met on September 9, 1947, and devoted itself primarily to the improvement of the Provisional Rules of Procedure. It presented in its report a detailed revision of these rules. The Assembly referred this report to the Sixth Committee, which appointed a subcommittee of 11 members to deal with the matter. After an extensive study by the subcommittee, the Assembly adopted without opposition a revised and expanded body of rules as its Rules of Procedure. Except for two rules which were made effective immediately, the new Rules of Procedure take effect on January 1, 1948.

OTHER ORGANIZATIONAL ACTION

During the past year several important steps were taken which reflect the development of the United Nations in respects other than those mentioned above.

1. Headquarters of the United Nations

Implementation of the decision of the General Assembly of December 14, 1946, to establish the permanent headquarters of the United Nations in the city of New York naturally has special interest for all Americans as hosts to the United Nations.

The President, on February 26, 1947, signed a bill providing for the exemption from the Federal gift tax of John D. Rockefeller, Jr's, gift of the purchase price for the major part of the site. The next day the Governor of the State of New York approved a series of bills signifying the State's concurrence in the transaction and enabling the city to donate the balance of the site. The city was also authorized to make appropriate zoning regulations covering the land near the headquarters. Following examination and clearing up of the title, the Secretary-General was able on March 25 to accept Mr. Rockefeller's gift of the purchase price and to take title to the part of the site covered by his offer. The balance of the site was accepted from the city on April 13.

Mayor William O'Dwyer, City Construction Coordinator Robert Moses, and other city officials worked closely with the Secretary-General in all headquarters questions throughout the year, bending

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every effort to develop plans which would provide an adequate setting for the United Nations. The city mapped plans for substantial improvement of the area, including a vehicular tunnel under adjoining First Avenue and improved approaches to the site. The cost to the city of these improvements is estimated at more than $20,000,000.

The site of the headquarters is to remain part of the United States and of the city and State of New York. It is, however, necessary to grant to the United Nations certain privileges and immunities comparable to those afforded to foreign embassies in this country and American embassies abroad, in order to assure that the Organization can fully discharge its international responsibilities. These are set out in the agreement between the United Nations and the United States regarding the headquarters of the United Nations, which was signed at Lake Success, June 26, 1947. By joint resolution approved August 4, 1947, the Congress authorized the President to put this agreement into effect, and it became effective November 21, 1947. A supplemental agreement making the agreement applicable to the interim headquarters of the United Nations at Lake Success, Long Island, and at Flushing Meadows, in the city of New York, became effective December 18, 1947.

A separate instrument, know as the "Convention on the Privileges and Immunities of the United Nations", which is designed to describe the rights of the United Nations and its personnel in all Member countries (as distinct from the above-mentioned headquarters agreement which defines the special arrangements between the United Nations and the United States arising out of the location of the permanent headquarters in this country) was submitted to the Congress by the President on July 2, 1947, for authorization of United States accession. The Senate, on July 17, passed a resolution authorizing such accession subject to reservations as to the application to United States citizens employed by the United Nations of the exemption which the convention would otherwise provide from income tax on their United Nations salaries and from national service obligations. The resolution also specified that the convention was not to be interpreted as modifying United States law with respect to the need for passports and visas. Action in the House of Representatives is pending at the date of this report.

To assist the Secretary-General in developing plans for the construction of the headquarters, the General Assembly had established, in its resolution of December 14, 1946, a 16-member Advisory Committee. Under the chairmanship of Ambassador Warren R. Austin, this Committee advised the Secretary-General in various negotiations with the city authorities, approved the preliminary plans for the headquarters, and advised the advance of funds for planning and for dem-

olition of existing structures. On the advice of the Committee, the Secretary-General appointed Wallace K. Harrison of New York, an architect, as Director of Planning and subsequently approved an international Board of Design Consultants consisting of 10 distinguished foreign architects and engineers. As a result of their joint labors, preliminary plans were submitted to the Secretary-General early in July. These called for an estimated expenditure of $84,831,000.

In view of world economic conditions and especially because of the shortage of dollar currency, the Secretary-General, on the advice of the Advisory Committee on Headquarters, requested revision of the plans to reduce the cost. The revised plans reduced the size and height of the buildings, while permitting future growth, eliminated a separate library building, and made certain other adjustments to bring the estimate down to $65,000,000. In the opinion of the Secretary-General and the Director of Planning, the revised plans would still provide adequate space for the functioning of the Organization.

The headquarters plans, as submitted by the Secretary-General, were approved without dissent by the General Assembly's *Ad Hoc* Committee on Headquarters and by the Assembly in plenary meeting. The harmony of discussion and the unanimity of approval of the plans, despite the varying backgrounds in architectural tastes of the delegates, were especially pleasing. There were no fundamental disagreements with the plans and, except for a small amount of discussion on the possibility of erecting a separate building for the library, no revisions were proposed.

The problem of financing construction of the headquarters in a war-torn, dollar-short world economy was a difficult one on which the Advisory Committee on Headquarters held several discussions during the summer, following exploration of this problem by the Secretary-General. It soon became apparent that, owing to the critical dollar shortage, it would not be possible to finance the construction out of dollar contributions to be made by the Member nations during the next few years. The possibilities of raising the money through private loans were carefully explored. This solution, however, turned out to be impracticable for a number of reasons. Under the most satisfactory arrangement that was proposed, the loan would cover only part of the cost, so that a substantial cash contribution would still have to be made by Members. Protection of the legal position of the lenders would involve difficult arrangements with respect to waiver of the United Nations immunity from suit and additional complications in architectural planning to satisfy the lenders that the buildings would be adaptable for other use in the theoretical contingency of a foreclosure. Moreover, there were indications that

many Members would consider it inconsistent with the prestige of the United Nations if it were under obligations to private financial interests.

In view of the complications involved in private financing, the members of the Advisory Committee (the United States Representative abstaining from the discussion) unanimously requested the Secretary-General to approach the United States Government regarding the possibility of its making a loan.

In determining whether a loan should be made, consideration was given to the advantages, including not only savings in our participation and other economic factors but facilitation of our work in the United Nations, which the United States derives from the location of the permanent headquarters of the United Nations in this country.

In view of all the circumstances, it seemed that the United States could well afford as a recognition of the material as well as intangible benefits accruing to the United States from location of the United Nations on its shores, not only to make a loan to the United Nations for the construction of the headquarters, but to waive any interest on such a loan. Accordingly, Ambassador Austin was authorized to inform the Secretary-General, on behalf of the President, that the President would request the Congress to authorize such a loan without interest. This offer was accepted unanimously by the General Assembly on November 20, on the express understanding that it was subject to the requisite authorization of the Congress. At the date of this report, a loan agreement is being negotiated with the United Nations for submission to the Congress.

2. Further Actions

The General Assembly unanimously adopted as its official flag the United Nations seal centered on a blue field. It designated October 24, the day on which the Charter came into force, as United Nations Day, to be devoted to making known to the peoples of the world the aims and achievements of the United Nations.

On the joint proposal of France and Sweden, the General Assembly decided, the United States concurring, that the next session of the General Assembly should be held in Europe. A committee of nine members is to consult with the Secretary-General to choose the city where the Third Session will be held.

Considering a Philippine proposal to designate Spanish as one of the working languages of the Organization, the advisory committee

estimated in a paper placed before the Fifth Committee that the establishment of a third working language (in addition to French and English) would require approximately $2,000,000 of increased expense. The Assembly directed the Secretary-General to study all aspects of the proposal and to report to the next regular session.

II. The Security Council

Under the charter the Security Council is the organ of the United Nations on which the Members of the United Nations have agreed to confer primary responsibility for the maintenance of international peace and security. This is provided in order to insure prompt and effective action by the United Nations, and the Members of the United Nations have agreed that in carrying out its duties the Security Council acts on their behalf. The Council is so organized as to be able to function continuously. Under its rules of procedure no more than 14 days shall elapse between meetings. As a matter of practice the Council has met much more frequently than this; during 1947 it held 137 meetings, or an average of nearly 3 a week.

The Security Council is composed of 11 members, 5 which are permanent members—China, France, U. S. S. R., United Kingdom, and United States—and 6 which are elected for two-year terms. The Charter provides that in the election of members of the Security Council due regard shall be paid to the contributions of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization and also to equitable geographic distribution. During the year just past the nonpermanent members were Belgium, Colombia, and Syria, whose terms expire on January 1, 1949, and Australia, Brazil, and Poland, whose terms expire on January 1, 1948. At the third session of the General Assembly, Argentina, Canada, and the Ukraine were elected to serve two years dating from January 1, 1948.

In addition to the semipermanent subsidiary organs of the Security Council, such as the Atomic Energy Commission and the Commission for Conventional Armaments, the Council has employed the device of establishing committees or commissions to perform designated tasks on its behalf. During 1947, for example, the Balkan Investigation Commission of the Council, composed of representatives of each of the Council members, investigated the situation along the frontier in northern Greece, conducting its inquiry in Bulgaria, Albania, and Yugoslavia as well. In addition, in August 1947 the Security Council established a Committee of Good Offices to assist the Governments of the Netherlands and the Republic of Indonesia to arrive at a peaceful

settlement of their controversy. The activities of these committees are set forth in more detail below in the discussion of the cases considered by the Security Council during the past year.

The procedures of the Council during the two years of its existence have become relatively stabilized. Precedents have developed and become well established relating to parliamentary matters and to such questions as the participation of nonmembers of the Council in connection with disputes to which they may be a party or cases in which in the judgment of the Council their interests are specifically affected. The Council has continued its practice of having the presidency held by the various members on a monthly rotation basis in alphabetical order. The United States Representative was President during November 1947 and will again be President next October.

Decisions in the Council are made in procedural matters by the vote of any seven of its members. In nonprocedural matters, that is, in matters in which the Council's decision is subject to the veto of a permanent member, there are required the affirmative votes of seven members including the concurring votes of the permanent members, provided that in decisions relating to the pacific settlement of disputes a party to the dispute shall abstain from voting. The voting procedures of the Council and specifically the question of the veto will be found in another part of this Report.

The United States is represented in the Council by Ambassador Warren R. Austin, United States Representative to the United Nations, and Ambassador Herschel V. Johnson, Deputy Representative. Appointments to the position of Representative and Deputy Representative are made by the President, subject to confirmation by the Senate.

CASES CONSIDERED BY THE COUNCIL

Set forth below is a summary of the individual cases considered by the Security Council during the past year and of the United States position with respect thereto. The action taken by the Council regarding the United States trusteeship over the former Japanese Mandated Islands is shown later under the Trusteeship System.

1. The Corfu Channel Case

On October 22, 1946, two British destroyers were damaged by mines in the North Corfu Channel, an international waterway between the Greek island of Corfu and the Albanian mainland. Forty-four lives were lost in the explosions. A subsequent sweep of that Channel by units of the British Navy disclosed what they reported to be a recently

laid minefield which, according to the British Government, must have been laid by or with the knowledge of the Albanian Government. When an exchange of notes failed to bring what it considered a satisfactory reply, the British Government submitted its complaint to the Council, charging the Albanian authorities with responsibility for the laying of a minefield without any notification, in violation of international law and with the results complained of.

The British Government requested confirmation by the Security Council of its charges together with the recommendation that in the light of such a finding the two parties settle the case between themselves and that the matter be retained on the Council's agenda. On its part the Albanian Government denied the charges, alleged that the right of innocent passage did not extend to war vessels in battle array, and brought a series of counter-charges against the British Government.

The Security Council, after preliminary discussion, appointed a subcommittee consisting of the Representatives of Australia, Colombia, and Poland to sift the evidence and report on the facts of the case. The United States Representative, while indicating that he considered the British case convincing, supported the proposal to establish the subcommittee on the ground that sound practice required careful examination of all evidence pertinent to the dispute. The subcommittee held 10 meetings but was able to agree only on the fact of damage to the British vessels; it could not agree that the damage was caused by the minefield swept by the British Navy and allegedly laid recently without notification; nor was it able to reach a consensus as to the responsibility and blame for such minefield.

To give effect to its charges, the British Government insisted that the Security Council make a finding that the minefield was laid "by the Albanian Government or with its connivance". On the proposal of the United States Representative, modified by the Representative of France, the Representative of the United Kingdom accepted a new text of the finding to the effect that the minefield "could not have been laid without the knowledge of the Albanian authorities". In this form the British resolution obtained seven votes, including the vote of the United States. However, because of the negative vote of the Soviet Representative, constituting a veto, the resolution was not adopted.

Subsequently, the British Representative introduced a second resolution recommending that the two parties immediately refer their dispute to the International Court of Justice. This resolution was at once supported by the United States and was adopted by a vote of 8 to 0, with Poland, the United Kingdom, and the Soviet Union abstaining. As a result, the Government of the United Kingdom submitted its case to the Court, and the Government of Albania, while protesting the unilateral submission of the case by the United King-

dom, agreed to appear before the Court. Albania, however, did not proceed promptly to take the effective steps required, and finally took exception to the Court's jurisdiction. The case stood at that point as the year closed.

The peculiar mixture of law and politics in this dispute proved of particular interest. It demonstrated the importance and the difficulty of deciding whether a case had best be submitted to judicial or political settlement.

2. The Greek Question

A summary of the handling of this question by the Security Council is included in the account set forth above under the General Assembly. The texts of the resolutions on the subject adopted by the Council are set forth in appendix I of this report.

3. The United Kingdom-Egyptian Dispute

On July 8, 1947, the Egyptian Government complained to the Security Council that a dispute had arisen between the Egyptian Government and the Government of the United Kingdom the continuance of which was likely to endanger the maintenance of international peace and security.

The controversy involved two questions: the presence of British troops in Egypt and the Sudan and the policy of the United Kingdom with respect to the administration of the Sudan. The Egyptian Government requested the Security Council under articles 35 and 37 of the Charter to direct (1) the total and immediate evacuation of British troops from Egypt, including the Sudan, and (2) the termination of the present administrative regime in the Sudan.

The matter was discussed at a number of meetings of the Security Council during July and August 1947. The United Kingdom pointed out that the presence of British troops in Egypt was to defend the Suez Canal and was provided for under the Anglo-Egyptian treaty of 1936, under the terms of which no revisions could be made therein prior to 1956 without the consent of the United Kingdom. The United Kingdom further pointed out that the administration of the Sudan rested on arrangements entered into between Egypt and the United Kingdom in 1899 and confirmed from time to time, the last confirmation being found in the treaty of 1936.

The Egyptian Government contended that the treaty of 1936 had outlived its purposes and was contrary to the United Nations Charter and that therefore the treaty was no longer binding on Egypt. Like-

wise the Government of Egypt contested the validity of the various arrangements for the administration of the Sudan. It received general support for its position from the Representative of Syria in the Security Council and from the representatives of Poland and the U. S. S. R. on the question of withdrawal of British troops, but not on the matter of the administration of the Sudan.

The United States during the discussions expressed the view that since previous bilateral negotiations between Egypt and the United Kingdom had succeeded in securing agreement on the most important issues in controversy the disagreements that remained were capable of solution by further direct negotiations between the United Kingdom and Egypt. Therefore, the United States supported a number of proposals in the Security Council requesting the United Kingdom and Egypt to seek a solution of the problem pursuant to article 33 of the Charter through negotiation or other peaceful means of their own choice. Unfortunately, it was not possible to secure agreement by Egypt and the United Kingdom on any form of resolution which would furnish a satisfactory basis for resumption of direct negotiation.

The majority of the Security Council was unwilling to recommend a formula for resumption of negotiations against the opposition of either Egypt or the United Kingdom. When the Security Council failed to adopt any of the proposals brought before it, the President suspended the consideration of the matter by declaring that the Security Council was unable to adopt a decision but that the Egyptian question remained on the agenda "and the Council may be called to continue its consideration at the request of any member of the Security Council or either of the two parties involved". The matter thus rests inconclusively at the year's end.

4. The Indonesian Question

On July 30, 1947, the Security Council received from the Representatives of India and Australia two complaints concerning the situation in Indonesia. Hostilities were taking place on the island of Java between forces of the Netherlands Government and the Republic of Indonesia following the breakdown of negotiations between the two Governments aimed at implementing the Linggadjati agreement signed by the two parties on March 25, 1947. That agreement, designed to insure good relations between the Netherlands and the Republic of Indonesia, provided that the Netherlands recognize the *de facto* authority of the Republic over Java, Madura, and Sumatra and that the two Governments should cooperate in the rapid promotion on a federal basis of a sovereign democratic state to be called the United

States of Indonesia, of which the Republic of Indonesia would be a component part. Negotiations for the implementation of the agreement broke down as the result of divergent views as to its interpretation, principally as to the establishment of a joint police force.

On July 21 the Netherlands Representative to the United Nations addressed a letter to the Secretary-General stating that it had become clear that the Republic of Indonesia was incapable of maintaining security, law, and order in its area and that it refused to cooperate with the Netherlands Government to create the necessary conditions thereto. Under the circumstances, the letter stated, the Netherlands Government had been compelled to authorize police measures in Indonesia of a strictly limited character. It was as a result of the ensuing hostilities that the Representatives of India and Australia asked that the Security Council consider the situation as endangering the maintenance of international peace and security.

The Security Council acted quickly and on August 1 adopted a resolution calling upon the parties to cease hostilities, to settle their disputes by arbitration or by other peaceful means, and to keep the Security Council informed about the progress of the settlement. During the Security Council deliberations, however, the Representative of the Netherlands contended that the situation was one within the domestic jurisdiction of the Netherlands, since the Republic of Indonesia was not in fact a sovereign state but was a constituent element under the sovereignty of the Netherlands, and that the Security Council therefore had no jurisdiction under the United Nations Charter to act in the case. In adopting its cease-fire resolution of August 1, the Security Council neither accepted nor rejected this conclusion, which was opposed by several members of the Council, notably Australia, Syria, and the U.S.S.R. Except in so far as the adoption of the cease-fire resolution provided an answer, the question of whether the situation in Indonesia was essentially within the domestic jurisdiction of the Netherlands, within the meaning of article 2, paragraph 7, so as to prevent United Nations action, was not expressly decided by the Security Council. The United States Representative supported the view that the Security Council was competent under the Charter to act in the case by adopting the cease-fire resolution. The Belgian Representative introduced a resolution which would have put the broader question of jurisdiction to the International Court of Justice for an advisory opinion. The United States Representative supported this proposal, but only three other members voted for it and it was defeated.

After the adoption of the cease-fire resolution both the Netherlands and the Republic of Indonesia issued cease-fire orders to be effective on August 4, 1947. On August 25, as a result of reports that the fight-

ing was still continuing in the area, the Security Council passed a further resolution requesting the career consuls in Batavia of Security Council members to report jointly on compliance with the cease-fire orders and on conditions in the area. On the same date by a further resolution, the Security Council offered to the disputants the good offices of the Council through a three-nation committee of the Security Council, for which each disputant was to designate one member with the third member to be selected by the two so designated.

By a further resolution on August 26, the Security Council called upon the parties to adhere to the recommendation of the August 1 resolution. Thereafter, the Netherlands designated Belgium and the Republic of Indonesia designated Australia to serve on the Good Offices Committee, and the United States was selected as the third member. Meanwhile, the career consuls in Batavia reported to the Security Council that the cease-fire orders had not been fully effective, pointing out specifically that no attempt was made by either side to come to an agreement with the other about the means of giving effect to the resolution of August 1. Based on that report the Security Council passed a resolution on November 1, 1947, providing an interpretation of the cease-fire resolution of August 1 that the use of the armed forces of either party by hostile action to extend its control over territory not occupied by it on August 4, 1947, is inconsistent with the Council's resolution of August 1, and calling upon the parties to meet together and to make arrangements to give effect to the cease-fire resolution and upon the Committee of Good Offices with the assistance of the career consuls to aid the parties in making such arrangements. The Committee of Good Offices was thus given a task additional to its principal task of assisting the parties in reaching a permanent solution of their differences.

The Committee arrived in Batavia on October 27, 1947, and has held numerous meetings with representatives of the Netherlands Government and the Republic of Indonesia. As a preliminary to the discussion of the substantive issues involved, it was necessary to select a neutral site for the negotiations. Because the parties could not agree on a convenient place in the area, the Committee of Good Offices requested the United States member of the Committee to ask the United States Government to provide a naval vessel as the site for the negotiations. The United States Government complied with this request, and the United States Navy dispatched a naval transport, the U. S. S. *Renville*, to Batavia, where it arrived on December 2, 1947. Negotiations for the settlement of the differences between the parties, under the auspices of the United Nations Committee of Good Offices, were taking place aboard this ship at the year's end. Dr. Frank P. Graham, President of the University of

North Carolina, is the United States Representative on the Committee.

The United States has tried to assist the parties in every way possible to settle their differences by peaceful means of their own choice. Before adoption of the Security Council resolution of August 25 establishing the Committee of Good Offices, the United States Government itself offered its good offices to the parties. In the Security Council the United States supported each of the measures adopted both to insure the cessation of hostilities in Indonesia and to make easier the coming together of the parties to iron out their difficulties. It is for this latter task that the Committee of Good Offices has been made available to the parties by the Security Council. This is the first time that this procedure of pacific settlement of a dispute has been undertaken in the United Nations.

5. Status of the Iranian Question

No occasion arose during 1947 for further consideration by the Council of the Iranian complaint against the U. S. S. R. alleging interference in its internal affairs, originally brought before the Council on January 19, 1946. The case, however, remains on the list of matters of which the Council is seized.

6. Responsibilities Concerning Trieste

The solution of the problem of Trieste and tracing of the frontier between Yugoslavia and Italy were keystones of the peace settlement with Italy. After long debate and as a compromise solution, the Council of Foreign Ministers of France, the United Kingdom, the United States, and the Union of Soviet Socialist Republics agreed to include in the Italian peace treaty provisions for the establishment of a Free Territory of Trieste, whose independence and integrity would be insured by the Security Council of the United Nations.

In a letter to the Secretary-General of the United Nations dated December 12, 1946, James F. Byrnes, then Secretary of State of the United States, as Chairman of the Council of Foreign Ministers requested the Security Council to approve the appropriate terms of the treaty and thus agree to assume its powers and responsibilities thereunder, which included insurance of the Statute for the Free Territory, protection of the basic human rights of the inhabitants, maintenance of public order and security, power to appoint, suspend, or dismiss the Governor, and certain powers of review over legislation and administrative measures.

The Security Council considered this request in two meetings held in January 1947. In the course of discussion, the Representative of

Australia took the position that the Security Council did not have authority under the Charter to undertake the proposed duties. He did not consider that either article 24 or any other provision of the Charter granted to the Security Council a power to guarantee the integrity and independence of an area. The Secretary-General prepared a legal opinion on this question, according to which the Security Council was not restricted to the specific powers set forth in chapters VI, VII, VIII, and XII but was held to have powers commensurate with its responsibilities in the field of the maintenance of international peace and security. The Security Council supported this view and, by 10 affirmative votes, with Australia abstaining, adopted a resolution recording its approval of the Instrument for the Provisional Regime of the Free Territory of Trieste, the Permanent Statute for the Free Territory of Trieste, and the Instrument for the Free Port of Trieste, and "its acceptance of the responsibilities devolving upon it under the same".

By the terms of these instruments, the Security Council was given the responsibility of selecting a Governor for the Free Territory after consultation with Italy and Yugoslavia. Informal discussions among the Four Big Powers concerned conducted in the period from January to June 1947 failed to produce agreement on a candidate. As a result, the problem was brought before the Security Council on request of the Representative of the United Kingdom and was placed on the Council's agenda against the opposition of the Representative of the Soviet Union, who argued that the Security Council could not discuss this question before the Italian treaty came into effect. The Security Council discussed the problem in three private meetings but was unable to reach any agreement. In an effort to break the deadlock, the Council appointed a subcommittee consisting of the representatives of Australia, Colombia, and Poland to consider a list of all suggested candidates to be prepared by the Secretary-General. The subcommittee report was discussed inconclusively in the Security Council, whereupon the Council decided to request the permanent members to renew their efforts in informal consultations on the subject. Since this approach had failed to produce an agreement, the Security Council requested the Italian and Yugoslav Governments to consult with a view to suggesting a candidate and to report to the Security Council by January 5, 1948.

Pending the assumption of office of the Governor, the Free Territory of Trieste remains divided between the British–United States zone and the Yugoslav zone and is administered under the authority of the respective military commanders of the two zones. On November 15, 1947, the United States and British Governments forwarded to the Secretary-General of the United Nations copies of an identical

communication setting forth the text of a proclamation issued by the commander of the British–United States zone of the Free Territory of Trieste on the effective date of the peace treaty and advising the Security Council of the view of the Government of the United States that it and the Government of the United Kingdom in their zone, and the Government of Yugoslavia in its zone, are charged with insuring that the areas under their respective administration are so governed that there shall be no radical constitutional modifications such as would make more difficult the future integrity and independence of a united Free Territory of Trieste. The United States Government further declared that in fulfilment of its obligations it will, from time to time, report to the Security Council on the administration of the Free Territory of Trieste and will insure that public peace and security are maintained in the Territory in accordance with the provisions of the treaty of peace with Italy.

In its second session in the fall of 1947 the General Assembly approved a proposal, made by the United States in the light of the decisions of the Council of Foreign Ministers and the Security Council, authorizing the Secretary-General to advance an amount up to $5,000,000 as emergency assistance for the Free Territory of Trieste in 1948 on request of the Governor and Provisional Council of Government approved by the Security Council.[14]

INTERNATIONAL CONTROL OF ATOMIC ENERGY

The majority of the members of the United Nations Atomic Energy Commission have accepted the United States proposals, made by Bernard M. Baruch on June 14, 1946, for a system of international control of atomic energy, calling for effective safeguards in order to provide security from atomic warfare. The Soviet Union, however, has rejected these proposals, thus preventing the unanimity necessary for success.

The logic, the scientific and technical soundness, and the fairness of the original United States proposals led to majority acceptance of the first report of the Atomic Energy Commission to the Security Council, dated December 31, 1946, which embodied the basic principles of those proposals. The Second Report of the Commission, dated September 11, 1947, which contains more detailed elaboration of the basic principles, stands as a collective contribution by the majority to the objective of security, of which the United States is by no means the sole protagonist.

[14] On this aspect of the Trieste problem, see also p. 72.

The work on international control of atomic energy during 1947 had three principal aspects. The first consisted of the consideration of the First Report of the Atomic Energy Commission in the Security Council from February 13, 1947, to March 10, 1947. The second consisted of an analysis and discussion in the Atomic Energy Commission of the Soviet "Additions and Amendments to the First Report" and the "new proposals" of the Soviet Union made on June 11, 1947. The third was the development of specific proposals concerning the detailed functions and powers of an international atomic agency as transmitted to the Security Council in the Second Report.

1. Security Council Consideration of the First Report

The First Report of the Atomic Energy Commission was approved by 10 delegations, with the Soviet Union and Poland abstaining, and was considered in the Security Council on February 13, 1947. The Report was warmly received by the Security Council and noted with approval by the majority, including Belgium, Colombia, and Syria, which had succeeded the Netherlands, Mexico, and Egypt on January 1 as nonpermanent members of the Council. Ambassador Warren R. Austin presented the views of the United States in the First Report and expressed the hope that the lack of unanimity would disappear upon further work and further understanding of the problem in the Atomic Energy Commission.

The Soviet Union and Poland did not accept the majority view. On March 5, 1947, the Soviet Union attacked the First Report on the ground that it would enable the United States to retain a "monopoly" on atomic energy and on the further ground that the safeguards proposed would mean an unnecessary infringement of the sovereign rights of participating states. The Soviet Union emphasized that the Security Council with its voting rule of unanimity must be the organ to make decisions on sanctions and enforcement. The principle that any violator of an atomic agreement must not be protected from the consequences of his violation by any procedures including the "veto" was strongly attacked on the grounds that such a principle would alter the Charter of the United Nations. The Soviet Union insisted that all atomic weapons should be destroyed at once in accordance with a simple convention so providing and that such safeguards as might be deemed necessary could be discussed later.

On February 18, 1947, Mr. Gromyko, the Soviet Representative on the Security Council, introduced "Amendments and Additions to the First Report of the Atomic Energy Commission". The Security Council concluded its deliberations on March 10, 1947, urging the Commission to continue its inquiry into all phases of the problem and to

develop as promptly as possible the specific proposals called for by section 5 of the General Assembly resolution of January 24, 1946, and in due course to prepare and submit to the Security Council a draft treaty or treaties, convention or conventions, incorporating all of its proposals. In addition, the Security Council requested the Commission to submit a second report prior to the next session of the General Assembly.

2. Consideration of Soviet Amendments and New Proposals

Upon receiving the Security Council resolution, the Atomic Energy Commission decided after some discussion that the amendments and additions proposed by the Soviet Union to the First Report, which were discussed only in a general way in the Security Council, should receive detailed consideration in Committee 1 of the Commission. It was also decided that Committee 2 of the Commission should be responsible for developing a plan of work in order to conform with the Security Council directive of March 10.

On June 11, 1947, at a formal session of the Atomic Energy Commission requested by the Soviet Union, Mr. Gromyko transmitted "new proposals" in addition to those submitted by the Soviet Union in June 1946. The new proposals made small contribution to the matter at hand. Most of the features of the proposals had already been discussed and rejected by the majority in the First Report.

The Soviet proposals of June 11 were discussed in Committee 1 when appropriate to the subject-matter then before it. In Committee 2, however, separate consideration was given to the Soviet proposals at a series of three formal meetings between August 6 and August 11, 1947. In these meetings the various delegations expressed their governments' views in the light particularly of the working papers being developed in Committee 2. Ten delegations made statements. The verbatim texts of the various statements are included in the summary records of those meetings and in annex 5 of the Second Report of the Commission to the Security Council.[15]

In the course of these meetings several delegations expressed a desire that certain portions of the Soviet Union proposals be clarified. On August 11 the Representative of the United Kingdom addressed a letter to the Representative of the U.S.S.R. containing a list of questions addressed specifically to the Soviet meaning of inspection, the

[15] The text of the speech of the Deputy U.S. Representative on the Atomic Energy Commission, Frederick Osborn, expressing the views of this Government on the Soviet proposals, is contained in appendix II, p. 246.

scope of the inspection, the relationship of the prohibition of atomic weapons to safeguards, and the question of the veto in relation to enforcement. The replies made by the Soviet Union were transmitted too late to be discussed in the Commission. They are included in the Second Report of the Atomic Energy Commission.

On August 15, by 10 affirmative votes, Committee 2 resolved that the Soviet "proposals as they now stand and the explanations given thereon do not provide an adequate basis for the development by the Committee of specific proposals for an effective system of international control of atomic energy". The resolution, however, stated that certain points in the Soviet proposals were not covered in the working papers so far submitted and that they will be taken up "in due course under the Plan of Work already adopted, as well as any new elaboration of the proposals already considered."

This resolution and a summary of the consideration of the new proposals, amendments, and additions constitute parts III and IV of the Second Report of the Atomic Energy Commission.

The points of disagreement between the Soviet amendments and the majority principles and between Soviet views and those of the majority expressed during the consideration of working papers in Committee 2 are listed under section 4 below.

3. The Preparation of the Second Report

In accordance with the Security Council resolution of March 10, Committee 2 adopted a "summary of principal subjects to be incorporated in specific proposals for the international control of atomic energy", put forward by the United States.[16] The plan of work was designed to develop views upon the detailed functions and powers of the control agency flowing from the basic principles of the First Report of the Atomic Energy Commission. The majority held that the nature of the subject-matter would allow for greater speed and progress by permitting approach to each topic in informal meetings with the use of experts in their private capacities. At such a time as the experts would be able to agree on specific delineation of powers and functions, the informal group would report the substance of their considerations to the formal meeting of Committee 2. The Soviet Union and Poland withheld their approval of this specific work program, which was adopted on April 10, 1947. The Soviet Union informed the Committee that its position was unchanged since the Security Council discussion on the subject and it considered that the

[16] For the text of this work program, see appendix II, p. 245.

Committee should, "from the beginning", consider the Soviet draft convention for the prohibition of atomic weapons. If this "basic question" were agreed upon, the Soviet Union held, it would be easier to reach agreement on the specific topics including inspection. The Soviet Union had no objection to discussion of "really new questions" but reserved the right to make such statements as it deemed necessary from time to time, particularly on subjects related to the Soviet amendments concurrently being discussed in the Working Committee (Committee 1).

From April to the latter part of August 1947 the United States Delegation participated with the other delegations in informal drafting groups composed of experts on the specific topics being considered and developed jointly conclusions and recommendations in reference to the topics assigned to each informal working group. From time to time noted authorities appeared before Committee 2 and made statements on topics within their field for the purpose of clarifying the technical issues being considered. For example, J. Robert Oppenheimer, Consultant to the U.S. Delegation, made a statement on April 29, 1947, on the subject of "Functions of the International Agency in Relation to Research and Development Activities".

The draft documents produced in accordance with the informal discussions and approved by the majority in the formal meetings of Committee 2 constitute a noteworthy collection of conclusions jointly and individually proposed and supported by the majority of the delegations. These documents, after their adoption by the Atomic Energy Commission, became part II of the Second Report of the Commission to the Security Council and deal with the following subjects: Research and Development Activities; Location and Mining of Ores; Processing and Purification of Source Material; Stockpiling, Production, and Distribution of Nuclear Fuels and the Design, Construction, and Operation of Isotope Separation Plants and of Nuclear Reactors; Rights of and Limitations on the International Agency in Relation to Inspections, Surveys, and Explorations.

The introduction to the Report characterizes it as "an interim report to state the progress which has been made in the work of the Commission since the submission of *The First Report of the Atomic Energy Commission to the Security Council*, dated 31 December 1946." The Soviet Union voted against the Report, and Poland abstained. With regard to the future activity of the Commission, the introduction concludes, "It is evident that, until unanimous agreement is reached on the functions and powers of the international agency, there will be limitations on the extent to which proposals on other topics in the Summary of Principal Subjects can be worked out in detail."

4. Basic Issues

It cannot be said that the deliberations in the Atomic Energy Commission have widened to any appreciable extent the area of agreement that existed two years ago. While it is generally agreed that there should be an international agency to carry out some system of atomic-energy control, that atomic weapons should be eliminated from national armaments, and that there should be some system of international inspection, such areas of agreement are larger in appearance than in fact. Discussions on the basic issues have disclosed that the Soviet Union and Poland have a completely different conception of the most important elements considered by the United States and other members of the majority as essential to an effective system for the international control of atomic energy.

OWNERSHIP OF SOURCE MATERIAL

This Government and the majority of the Atomic Energy Commission have insisted that there can be no assurance of security under any system of atomic-energy control unless the international agency has unqualified ownership of all source material after it is mined. The Soviet Union, on the other hand, considers that periodic inspection of mining facilities is sufficient. In the Soviet view source material should be left in national hands.

OWNERSHIP, MANAGEMENT, AND OPERATION OF DANGEROUS FACILITIES

This Government and the majority consider that the international agency must have the sole responsibility through ownership, management, and operation for dangerous facilities—dangerous, that is, to international security. The Soviet Union, on the other hand, considers that dangerous facilities should be left in national hands and be inspected from time to time.

RESEARCH

The majority declare that positive research and developmental responsibilities for all dangerous activity should be assigned exclusively to the international agency and that atomic research on nondangerous activities may be carried on in national states subject to licensing by the international agency. While the Soviet Union agrees in principle that the international agency would itself conduct research and development activities, the Soviet Union would permit national research and development of a dangerous character to be carried on by national states. In addition, the Soviet Union would make no provi-

sion for the control of national research or development activities of a nondangerous character.

INSPECTION

While it is generally agreed that there should be some system of international inspection, the majority have concluded that there must be comprehensive inspection, particularly in unreported areas where clandestine activities might be carried on. The minority considers that inspection should be limited to those atomic facilities reported by states; inspection as to clandestine or unreported facilities is virtually ignored.

ELIMINATION OF ATOMIC WEAPONS FROM NATIONAL ARMAMENTS

While it is generally agreed that atomic weapons must be eliminated from national armaments, the majority have concluded that such elimination should come at that stage in the development of the international control system which would clearly signify to the world that the safeguards then in operation provided security for all participating states. The Soviet Union, on the other hand, has insisted that atomic weapons be destroyed at once and that international control including safeguards should be worked out and established later.

ENFORCEMENT

It is generally agreed that violators of the atomic treaty should be punished. The majority, however, consider that punishment of treaty violations must be swift and certain, and that there must be no procedure, including the "veto", which would protect a violator of the atomic treaty from the consequences of violation. The Soviet Union insists, however, that all questions of enforcement must come within the established competence of the Security Council and that all decisions on enforcement must be made in conformity with the rule of unanimity.

5. The Outlook

The scheme of international control, as accepted and envisaged by the majority of the Commission, has not yet been worked out in detailed fashion. Certain parts of the work plan have not yet been considered. These parts include the organization and administration of the international agency, principles governing geographic location of dangerous activities and stockpiling, financial and budgetary organization, prohibitions and enforcement including the veto problem, and stages by which transition will be accomplished from conditions of

national control to the final conditions of predominantly international control. The original United States (Baruch) plan, the three memoranda submitted by the United States in the summer of 1946, and the First and Second Reports throw considerable light on the complete scheme. The United States is continuing its work in the Commission, as stated by Secretary Marshall in his address of September 17 to the General Assembly:

"Since the United States realizes fully the consequences of failure to attain effective international control, we shall continue our efforts in the Atomic Energy Commission to carry forward our work along the lines of the majority views."

However, the Commission in its Second Report submitted to the Security Council in December 1947 warns that "it is evident that, until unanimous agreement is reached on the functions and powers of the international agency, there will be limitations on the extent to which proposals on other topics . . . can be worked out in detail." The same caution against expecting concrete results in the absence of unanimity was voiced by Secretary Marshall in the same address:

"We must state frankly, however, that in the absence of unanimous agreement on the essential functions and powers which the majority has concluded must be given to the international agency, there will necessarily be limitations on the extent to which the remaining aspects of the problem can be worked out in detail. If the minority persists in refusing to join with the majority, the Atomic Energy Commission may soon be faced with the conclusion that it is unable to complete the task assigned it under its terms of reference laid down in the General Assembly resolution of January 24, 1946."

Throughout the deliberations of the Commission during 1947 the United States has been represented by the Deputy Representative on the Atomic Energy Commission, Frederick Osborn.

ARMED FORCES FOR THE UNITED NATIONS

During the early part of the period under review, hopes existed that substantial progress would be made during the year in negotiating the special agreements contemplated by article 43 of the United Nations Charter making armed forces, assistance, and facilities available to the Security Council on its call. However, 1947 closed without any special agreements in effect. While the efforts made during the period under review did not result in the conclusion of any agreements, they did do much to clarify the obstacles which will have

to be overcome before such agreements can be concluded; these efforts should prove of assistance in the arriving at the implementation of article 43, which, with most of the members, the United States wishes to see and is urging.

On February 13, 1947, the Security Council requested the Military Staff Committee to submit as a matter of urgency the report called for by the Council's directive of February 1946 and, as a first step, to submit to the Council not later than April 30, 1947, its recommendation with regard to the basic principles which should govern the organization of the armed forces to be made available to that organ. A report containing those recommendations was submitted to the Security Council on the date requested.

Of the 41 articles into which the recommendations were divided, 25 had been agreed to by all members of the Military Staff Committee, but agreement had not been reached on the remaining 16. In the great majority of the cases in which agreement had not been reached the divergencies of view were between the Soviet Union and the other four members of the Committee (the United States, China, France, and the United Kingdom).

The most important of the divergencies of view are as follows:

(*a*) The Soviet Union insists that no permanent Member, except by special decision of the Security Council, should be permitted to make available to the Council pursuant to article 43 any armed forces of a type not made available by each of the other permanent Members or to include in the forces made available any component larger than, or different in composition from, the weakest component of the same type made available by any of the other permanent Members. The United States, China, France, and the United Kingdom are unwilling to accept this restriction. They take the position that the objective in implementing article 43 should be to make it possible for the Security Council, by calling out armed forces made available to it by Members of the United Nations, to constitute a balanced force capable of promptly taking effective enforcement action in any part of the world. They consider that, subject to that, each of the permanent Members should make a comparable over-all contribution to the armed forces made available to the Security Council on its call but that these contributions may differ widely as to the strength of the separate components, land, sea, and air.

(*b*) The Soviet Union insists that the forces made available on call shall be "garrisoned" within the frontiers of the contributing nation's own territories or territorial waters except for forces engaged in the occupation of ex-enemy countries or other activities authorized by article 107 of the Charter. This restriction is unacceptable to the other members.

(*c*) The Soviet Union insists that, unless otherwise specifically authorized by the Council, armed forces employed by the Council shall automatically be withdrawn to their own territories or territorial waters within a time limit of 30 to 90 days after they have carried out the task assigned to them. This restriction is also unacceptable to the other members.

(*d*) The Soviet Union insists that bases are not embraced in the "assistance and facilities" which Members of the United Nations have agreed by article 43 of the Charter to make available to the Council on its call in accordance with special agreements to be concluded. This interpretation is unacceptable to the other members.

Immediately after the submission on April 30 of the Military Staff Committee report, the United States Representative in the Security Council requested that consideration of the report and other matters relating to the implementation of article 43 be placed on the provisional agenda of the next meeting of the Council. Not until June 4, however, was it feasible for the Council to begin its consideration of the report.

Ambassador Herschel V. Johnson, as the first speaker in the Security Council when general debate on the Military Staff Committee report began on June 4, 1947, included in his address the following statements concerning the views of the United States:

"One vital organizational task remains undone. Article 43 of the Charter imposes upon the Security Council the responsibility for negotiating 'as soon as possible' special agreements under which the Member nations will make available to the Security Council, on its call, 'armed forces, assistance and facilities, including rights of passage necessary for the purpose of maintaining international peace and security.' Until these agreements have been concluded and put into force, the Security Council will be unable to fulfill its responsibilities as the enforcement agency of the United Nations. Chapter VII of the Charter, in so far as it relates to military enforcement measures, will remain inoperative.

. . . . . .

"The United States has been disappointed by the slow pace at which the work [of the Military Staff Committee on this matter] has progressed. These recommendations [of the Committee which are now before the Council] do, however, represent a measure of progress. We believe that the Security Council should now exert every effort to complete the task that is imposed by Article 43 of the Charter upon the Council collectively and upon the Members of the United Nations individually.

"As the next step in that direction, the United States believes that the Security Council should proceed today and in succeeding meetings

to a full and public examination and debate on the recommendations in this Report and related problems concerning implementation of Article 43 and should seek to reach decisions that will advance our work."

Security Council consideration of the Military Staff Committee report took place in 11 meetings held from June 4 to July 15. Consideration of the report was then suspended because of the pressure of other business before the Council. During these meetings the Council provisionally adopted the 25 articles of the report upon which agreement had been reached in the Military Staff Committee. Efforts were made both by discussing general principles and by attempting to discuss tentative figures to resolve the divergencies of view between the Soviet Union and the other permanent members of the Council, but neither method of approach resulted in any apparent progress toward that objective. During the debate the Soviet Representative indicated plainly that the Soviet Union does not intend to modify its views on the articles of the Military Staff Committee report upon which agreement was not reached and that it considers acceptance of its views to be a prerequisite to starting negotiation of the special agreements.

During the Security Council debate the Military Staff Committee was asked to submit to the Council within four days an estimate of the over-all strength and the strength and approximate composition of the land, sea, and air components of the armed forces which should in the Committee's opinion be made available to the Security Council on its call. In response to this request the Military Staff Committee submitted to the Council on June 30, 1947, tentative estimates submitted by representatives of the United States, France, and the United Kingdom. The Committee did not have time before submitting its report to reconcile the three estimates. The Soviet representatives did not at that time submit an estimate on the ground that it would be impossible for the Military Staff Committee to present to the Security Council even a preliminary estimate of the over-all strength until the Council had completed its action on the recommendations in the Military Staff Committee report. The Soviet Delegation later submitted to the Military Staff Committee an "unofficial" estimate of over-all strength and composition for use in an "informal exchange of views" on that subject conducted in a subcommittee of the Military Staff Committee.

The provisional estimate of over-all strength and composition submitted by the United States Delegation was as follows: ground forces, 20 divisions; naval forces, 3 carrier task groups each consisting of 1 battleship, 2 carriers, 2 cruisers, and 16 destroyers, 3 surface support groups each consisting of 3 cruisers and 12 destroyers, 3 groups of assault shipping and craft capable of lifting a total of 6 troop divisions, and 90 submarines; air force (not including air-transport re-

quirements), 1,250 bombers, 2,250 fighters, and 300 other aircraft, making a total of 3,800. While waiting for the Security Council to conclude the study of the Military Staff Committee report of April 30 a subcommittee of the Military Staff Committee conducted informal discussions with the object of reconciling the provisional estimates. During these discussions the United States indicated its readiness materially to lower its preliminary estimate in order to reach agreement, notably, from 20 to 15 ground divisions, from 90 to 60 submarines, and from 3,800 to 2,800 aircraft.

Several changes occurred during 1947 in the United States representation in the Military Staff Committee. In May Brig. Gen. C. P. Cabell was relieved by Gen. Joseph T. McNarney, who was in turn relieved in October by Maj. Gen. H. B. Harmon. In March Admiral R. K. Turner was succeeded by Admiral H. K. Hewitt, who continues to be the senior United States Representative at the close of 1947. Lt. Gen. M. B. Ridgway served as a United States Representative in the Committee throughout the year.

REGULATION AND REDUCTION OF CONVENTIONAL ARMAMENTS

An initial step toward the regulation of conventional armaments was taken under the auspices of the United Nations when in February 1947 the Security Council, pursuant to a resolution passed by the General Assembly in December 1946, established the Commission for Conventional Armaments. To date this Commission has little tangible progress to report. In view of the unsettled state of world affairs, this was to be expected. While the United States earnestly desires to see the world freed from its burden of armaments, a desire shared by most other nations, the United States recognizes that armaments can be reduced only in response to improved conditions of international peace and security. Meanwhile the United States and other nations are trying to establish the lines of agreement desired in this vital field, for implementation when practicable in the light of world circumstances. Reduction of armaments, like effective regulation, is more the expression of the prevailing state of security than a basis for creating security.

In his speech before the General Assembly on September 17, 1947, Secretary Marshall summarized the United States views respecting disarmament in the following statement:

"The United States also recognizes the importance of regulating conventional armaments. We regret that much more progress has not been made in this field. From this rostrum it is very easy to pay lip

service to the sincere aspirations of all peoples for the limitation and reduction of armed forces. This is a serious matter which should not be the subject of demagogic appeals and irresponsible propaganda. I say frankly to the General Assembly that it is the conviction of my Government that a workable system for the regulation of armaments cannot be put into operation until conditions of international confidence prevail. We have consistently and repeatedly made it clear that the regulation of armaments presupposes enough international understanding to make possible the settlement of peace terms with Germany and Japan, the implementation of agreements putting military forces and facilities at the disposal of the Security Council, and an international arrangement for the control of atomic energy."

1. Action in the Commission for Conventional Armaments

A Security Council resolution of February 13, 1947, which was supported by all the members except the Soviet Union and Poland, who abstained from voting, established the Commission for Conventional Armaments, composed of members of the Security Council. The Commission was directed to develop proposals for the regulation and reduction of armaments and to work out safeguards to protect states complying with the regulatory system against the hazards of violations and evasions. The Commission was enjoined from dealing with atomic energy or weapons of mass destruction, items already placed within the jurisdiction of the Atomic Energy Commission.[17]

The Commission was convened on March 24, 1947. Its first step was the preparation of a plan of work, and for this purpose a special committee was established composed of China, France, United Kingdom, United States, and the Union of Soviet Socialist Republics. Committee discussion centered largely around two draft plans, introduced by the United States and the U.S.S.R. respectively. The Commission accepted the United States draft and rejected that of the U.S.S.R.[18] The Soviet draft was objectionable among other reasons because it would have had the Commission "take into account" prohibition of atomic weapons, a matter clearly beyond its purview.

When the Commission's plan of work came up for approval in the Security Council, the majority voted for it, while the U.S.S.R. and Poland abstained. The Soviet Representative stated at that time that he would be "directed in his activities by the general line expressed in the plan submitted by the Union of Soviet Socialist Republics." In

[17] For full text of resolution, see appendix II, pp. 250 ff.

[18] For text of the adopted plan, see appendix II, p. 252.

effect this signified that work in the Commission had to proceed without acceptance by the minority of an agreed plan of work.

The initial item on the plan of work approved by the Security Council calls upon the Commission to "consider and make recommendations to the Security Council concerning armaments and armed forces which are within the jurisdiction of the Commission for Conventional Armaments". This was accomplished by the Working Committee of the Commission not directly but indirectly, through adoption of a definition of weapons adaptable to mass destruction (responsibility for which rests with the United Nations Atomic Energy Commission). As in the case of adoption of the plan of work, the majority endorsed the view of the United States in deciding upon the definition in question. The agreed version, which has been approved for submission to the Security Council, reads as follows:

"The Working Committee resolves to advise the Security Council

"(1) That it considers that all armaments and armed forces, except atomic weapons and weapons of mass destruction, fall within its jurisdiction and that weapons of mass destruction should be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above.

"(2) That it proposes to proceed with its work on the basis of the above definition."

This definition reaffirms provisions of the General Assembly resolutions of January 24, 1946, and December 14, 1946, respectively, which had already made it clear that the Commission for Conventional Armaments was not in any way to encroach on the territory or prerogatives of the United Nations Atomic Energy Commission. Such reaffirmation likewise rejected in unmistakable terms Soviet attempts to bring atomic energy within the competence of the Commission for Conventional Armaments.

The next two items on the plan of work call for a consideration and determination of general principles in connection with armament regulation and reduction and for the consideration of an international system of practical and effective safeguards. Recent sessions of the Commission have been given over to a discussion of these items. Views of the various delegations have been submitted to the Commission sitting as a working committee.

While such views show a wide variety of concepts, suggested general principles indicate considerable concurrence with the United States position that regulation of armaments is dependent upon the establishment of essential conditions of international peace and security.

Only Poland shares the Soviet view that a "first and indispensable step" toward world confidence is an immediate reduction of armaments.

The United States has endeavored to obtain agreement upon general principles prior to proceeding to the complex and time-consuming details involved in a consideration of actual plans for the regulation of armaments.

The record shows that the majority of the members of the Commission for Conventional Armaments have largely shared the views of the United States on the basic problems at issue, the solution of which they are seeking.

2. Commission Prospects

In view of the foregoing, no early solution of the conventional-armaments problem appears likely. Nevertheless, as indicated by the Secretary of State above, the United States will cooperate in the development of a system for the regulation of armaments in accordance with the plan of work of the Commission. Thus it is hoped that a system will be formulated ready to be put into effect when conditions permit.

ADMISSION OF NEW MEMBERS

During 1947 the Security Council unanimously recommended two states, Yemen and Pakistan, for admission to the United Nations, both of which were subsequently admitted by the concurrent action of the General Assembly.[19]

This action brought to 6 the number of new Members admitted to the United Nations since its founding. However, 11 other applicants failed to be recommended by the Security Council for admission. Acting on a General Assembly recommendation of December 16, 1946, the Security Council in August reconsidered and rejected for the second time the applications of Albania, the Mongolian People's Republic, Transjordan, Eire, and Portugal, which it had failed to recommend in 1946. Moreover, it rejected at the same time the applications submitted in 1947 of Hungary, Italy, Austria, Rumania, and Bulgaria. After these votes the United States suggested that the Security Council forward the applications to the General Assembly with the understanding that the Security Council would subsequently recommend the admission of any applicants which the General Assembly considered qualified. The proposal however was withdrawn when the Soviet Representative indicated strong objections. In September, after the peace treaties with Italy, Hungary, Rumania, Bul-

[19] See p. 34.

garia, and Finland became effective, Finland applied for admission, and the applications of all these five states were considered and rejected by the Security Council.

In these proceedings the United States opposed the admission of the states whose independent status, or whose ability and willingness to carry out Charter obligations, it questioned. The Mongolian People's Republic, which apparently has diplomatic relations only with the Soviet Union, was in the first category; Albania, Hungary, Rumania, and Bulgaria were in the second. Albania had refused to recognize the binding force of certain of its treaties with the United States and other states. Albania and Bulgaria were found by a majority of the Balkan Investigation Commission, with whom a majority of the members of the Security Council concurred, to have rendered assistance to the guerrillas operating in northern Greece, and they had failed to cooperate with the Subsidiary Group of that Commission of the United Nations. Hungary, Rumania, and Bulgaria had also evidenced a disregard of their international obligations by violating certain human rights and fundamental freedoms which, in these peace treaties, they had undertaken to respect.

These or similar views were shared by other members of the Security Council. As a result, in the voting Albania and Outer Mongolia received only 3 affirmative votes and Hungary, Rumania, and Bulgaria 5, 4, and 1 votes, respectively. Having failed to receive the minimum requirement of 7 votes, these applications were rejected.

Of the other applicants, Eire, Portugal, Transjordan, Italy, and Finland received 9 affirmative votes each; Austria received 8. Because of the negative vote, or veto, exercised by the Soviet Union all six, however, failed to receive a favorable recommendation. In the cases of Italy and Finland the Soviet Representative announced that his Government considered them qualified for membership but that he could vote favorably only if the other ex-enemy states, Hungary, Rumania, and Bulgaria, with which treaties had been concluded, were also admitted.

Widespread dissatisfaction with these reasons and methods by which several applicants were rejected by the Security Council led to the presentation in the General Assembly of certain attempts to provide remedies and to the adoption by the General Assembly of a number of resolutions recommending that the Security Council reconsider the applications of the states which the General Assembly deemed qualified for admission—Italy, Transjordan, Eire, Portugal, Austria, and Finland.

Pursuant to the Assembly's request the Security Council reconsidered the applications of Italy and Transjordan before the end of the session. It being ascertained that no member had changed its position,

the Security Council postponed further reconsideration pending consultations on the matter.[20]

RULES OF PROCEDURE

During the year one new rule of procedure dealing with the election of the judges of the International Court of Justice was adopted by the Security Council. Clarifying amendments were made to existing rules dealing with the election of new Members to the United Nations.

The United States in the early autumn of 1947 circulated among members of the Security Council a number of proposals for rules of procedure on the subject of voting. While the problem was submitted to Committee 1 of the Security Council (Committee of Experts) for its consideration, no meetings of the Committee were held to consider the United States proposals. It is anticipated that they will come before the Committee and be studied early in 1948.

[20] For a summary of other action on the admission of new members recommended by the General Assembly, see p. 34.

III. The Economic and Social Council

Within the organization of the United Nations, the Economic and Social Council carries responsibility for a very wide variety of subjects in international economic, social, cultural, educational, health, and related fields.

These fields are immense and are far too many and diverse for detailed consideration by a small body that meets for a total of only two or three months a year. The detailed work in the economic and social field is therefore assigned to two types of organizations: first, commissions and subcommissions directly subordinate to the Council, each with a more or less restricted area of endeavor; and, second, the specialized agencies, which have an independent existence and their own separate secretariats but which are linked to the United Nations by agreements giving the United Nations certain coordinating functions. The essential task of the Economic and Social Council is, therefore, to keep under scrutiny the activities of these two types of organizations, with a view to insuring that their programs of studies or activities move forward in harmony toward "conditions of stability and well-being which are necessary for peaceful and friendly relations among nations." This is the central affirmative duty of the Economic and Social Council, though there are numerous others that will be dealt with in the pages that follow.

To date the Council has barely begun to undertake this central job. This is because most of its commissions held their first meetings during 1947 and are no more than fairly started in their own individual fields of activity. Similarly, most of the specialized agencies, though their organizational phases have been largely completed, were brought into relationship with the United Nations, through the Council, only during the course of the year. But the very launching of the commissions and the negotiation of agreements between the United Nations and the specialized agencies are the result of a considerable amount of work and represent a real accomplishment, especially when it is remembered that this organizational pattern had to be built up from the bottom, by the representatives of countries holding divergent views on many matters of substance, with no binding precedents to guide them. At the end of 1947, the Economic and Social Council stands ready to assume its coordinating responsibilities.

In this general outline there should also be mentioned two blind alleys into which the Economic and Social Council is in constant danger of being diverted. It has been noted that the field of the Council's interest is extremely broad. It includes many subjects which, while of real importance, are not of primary urgency in the present state of world affairs. Yet enthusiasts concerned with such subjects can and do urge with force and persuasiveness that the Council should consider them forthwith. The Council must therefore be discriminating in its sense of relative priorities. During 1947 it has done well in this regard.

The other danger of diversion stems from the fact that many of the issues with which the Council must deal are of such fundamental importance as to be the subject of widely different and strongly held ideological views. The discussion of these issues tends very soon to become essentially political debate. The past year was one in which these differences unhappily broadened and deepened throughout international relations. The Economic and Social Council was no exception, and its work was hampered by the projection, sometimes for reasons remote from the inherent merit of problems, of these political divergencies into its debates.

The Council held two sessions in 1947. At the first, from February 28 to March 29, Leroy D. Stinebower, Deputy United States Representative to the Council, was the Acting United States Representative. Willard L. Thorp, Assistant Secretary of State for economic affairs, was confirmed as United States Representative on July 18 and served during the second 1947 session, from July 19 to August 16.

INTERNATIONAL TRADE CONFERENCE

The year's most noteworthy accomplishment in the international economic field was the work of the Preparatory Committee of 23 countries and territories to lay the groundwork for a United Nations Conference on Trade and Employment.[21] The United Nations Conference convened at Habana in November 1947.

The Preparatory Committee was created by the Economic and Social Council, which moreover authorized the United Nations Conference on Trade and Employment. The Council also created a further committee, pending the establishment of the International Trade Organization, to facilitate intergovernmental consultation or action on urgent commodity problems.

[21] The Committee met first in London in late 1946. A drafting committee met in New York during January and February 1947 to edit and clarify the London version of the charter for an International Trade Organization.

The Preparatory Committee held its second session at Geneva, Switzerland, in the spring and summer of 1947.[22] Its task was twofold: first, to complete the draft of a charter for an International Trade Organization to be used as the basis of work at the Habana Conference; second, and of equal importance, to carry out detailed negotiations among 20 countries looking toward the conclusion of a general agreement on tariffs and trade.

The draft charter resulting from the Geneva session was completed by the Preparatory Committee on August 22, 1947.

The Geneva charter seeks to realize various aims of the United Nations Charter with respect to international economic and social cooperation through an International Trade Organization, which among other things will promote national and international action to increase real income, production, consumption, and exchange of goods, to assist economic development, to further equal access to markets and trade, to reduce tariffs and other barriers, and to eliminate discriminatory treatment in international commerce. The draft charter establishes rules which relate to employment, development, commercial policy, restrictive business practices, commodity agreements, and the institutional arrangements necessary to make these rules effective in a changing world economy.

With respect to the second task of the Preparatory Committee, on October 30, 1947, 23 countries and territories undertook over 100 sets of negotiations which were constituted as a general agreement on tariffs and trade. The general agreement is, with regard to both the scope of its provisions and the volume of trade they affect, the most comprehensive instrument ever negotiated for the reduction of barriers to world trade. The provisions of the agreement extend to trade barriers and trade controls of all kinds, including tariffs, quotas, internal controls, customs regulations, state trading, and subsidies. The countries signing the agreement at Geneva accounted in 1938 for nearly three fourths of the world's international trade.

REGIONAL ECONOMIC COMMISSIONS

The first commissions of the Council were set up on a functional pattern to deal more specifically than the Council itself could with the subjects within the Council's fields, on a world-wide basis. However,

[22] Observers were sent to the Geneva Conference by the Food and Agriculture Organization, the International Labor Organization, the International Bank for Reconstruction and Development, and the International Monetary Fund as well as many United Nations not members of the Preparatory Committee; some nongovernmental organizations sent observers to the Geneva Conference.

the urgent problems of the war-devastated areas led the General Assembly to recommend in December 1946 the establishment of two regional economic commissions, one for Europe and the other for Asia and the Far East. The most noteworthy organizational development accomplished by the Council in 1947 was the setting up of these two commissions, on both of which the United States is represented. The terms of reference of the European commission were fully written by the Council at its March session; the commission itself held two meetings during the year, and now it is established at the United Nations European headquarters in Geneva, with its own executive secretary and staff forming a self-contained unit, though administratively it is a part of the general United Nations Secretariat.

The Economic Commission for Europe (ECE) has no executive powers but is empowered to make recommendations on any matter within its competence directly to its member governments, to governments participating in a consultative capacity, and to the specialized agencies. The terms of reference of the Commission provide that it shall "initiate and participate in measures for facilitating concerted action for the economic reconstruction of Europe, for raising the level of European economic activity, and for maintaining and strengthening the economic relations of the European countries both among themselves and with other countries of the world." It was also provided in the terms of reference that immediately upon its establishment the Commission should consult with the member governments of the Emergency Economic Committee for Europe, the European Central Inland Transport Organization, and the European Coal Organization with a view to the termination of those organizations and the continuation of their essential work by the ECE. These three organizations (the EECE, the ECITO and the ECO) were set up at the close of the European war to provide for mutual consideration by the European countries of immediate postwar economic problems. One of the principal reasons for establishing the Economic Commission for Europe was to bring these three organizations into closer relationship with each other and where necessary to continue and expand their work within the framework of the United Nations.

The Economic Commission for Europe has held two sessions of the full Commission. It took over the work of the Emergency Economic Committee for Europe and the European Central Inland Transport Organization in 1947 and assumed the functions of the European Coal Organization in January 1948. In addition to the two sessions of the full Commission, the ECE has established and held meetings of technical committees on the following subjects: industry and materials, alkalis, fertilizers, housing, timber, electric power, transport, and coal. In the commodity committees emphasis has

been placed on the consideration of measures which can be taken to increase the production in Europe of the commodities under study and to facilitate their interchange among the European countries. The Transport Committee has established working groups to examine methods of identification and repatriation of rolling stock, standardization of transportation, elimination of bottlenecks limiting repair, maintenance and renewal of transport equipment, and other similar problems, with a view to more efficient use of existing equipment. It is continuing for the time being meetings of "Bidac", a subgroup formerly attached to Ecito, which handles bidding and acceptances of traffic through Germany.

One of the most important functions of the Ece beginning in January 1948 will be the continuation of the work heretofore done by the European Coal Organization. Since its establishment at the close of the European war, the Eco has made recommendations to the United States Government and to the appropriate control authorities in Germany on distribution among Eco countries of any coal available for export to those countries from the United States, the Ruhr, and the Saar. More recently it has also made recommendations to the Polish Government with respect to certain amounts of Polish coal. The recommendations made by Eco have been agreed upon by the participating countries and have been honored to the fullest extent possible by the exporting countries. As a result, the limited quantities of coal available have been distributed equitably and with the approval of all concerned. The allocations have been made on the basis of relative need and in the light of the general objective of allocating coal in such a manner as to facilitate rapid economic reconstruction of Europe. The Eco has also assisted in the procurement and distribution of mining supplies and equipment. It is expected that the Ece will continue both aspects of Eco's work.

All European Members of the United Nations are members of the Economic Commission for Europe; other European countries interested in particular phases of the work are invited to attend meetings where questions in which they are interested are under discussion.

The meetings of the technical committees in particular have shown a desire on the part of most European countries to work cooperatively for a solution of concrete problems.

A cooperative solution of these economic problems is an essential part of any European recovery program, and the potential contribution of the Economic Commission for Europe to their solution was fully recognized by the 16 countries which met in Paris during the summer to draft a recovery program. Paragraph 110 of the report of the Committee for European Economic Co-operation states that it is the desire of the participating countries that wherever suitable inter-

national machinery exists it should be used in the implementation of the European Recovery Program. The report, both in this paragraph and in a number of specific instances in the technical reports, suggests that the Economic Commission for Europe undertake further studies of certain production problems and other questions having a direct bearing on the economic recovery program. The technical reports of the Paris committees have been used by the secretariat of the ECE in preparing background papers for consideration by the ECE technical committees, and further work is already under way on a number of the specific suggestions which were put forward in the Paris report.

The ECE had the advantage of previous work done in the same field by the three international emergency organizations whose functions it assumed. The Economic Commission for Asia and the Far East (ECAFE) had no such foundation on which to build. Accordingly, its terms of reference were only partly written at the March session of the Economic and Social Council. They were completed by a committee of ECAFE during the summer and finally agreed upon by the Economic and Social Council in August. However, by the end of ECAFE's second session in December, its staff was organized and its preparation for the consideration of substantive problems was well under way. The Commission turned its chief attention to problems of food production and supply, proposing that teams of technical experts be put into the field to visit the principal areas of food production and shortage in the Orient and that a food and agriculture production committee be set up jointly with the Food and Agriculture Organization. The Commission also adopted resolutions to forward work in industrial development and in trade promotion in the area. The United States took an active part in developing these proposals, and satisfaction is felt with the progress made by ECAFE in the short time since its establishment.

Representatives from other parts of the world have shown much interest in this regional approach to international economic problems; in line with this a commission for Latin America was suggested at the August session. An *ad hoc* committee to study the problem was created at that time. It has prepared the preliminary report to the Council, tentatively favoring the establishment of an Economic Commission for Latin America, subject, however, to final decision in the light of the opinion of the Pan American Union, to which the preliminary report has been sent for comment. Although the question of a similar commission for the Middle East was not formally brought before the Council, it was the subject of some discussion during the year and will, as a result of a General Assembly resolution, be considered by the Council in 1948.

The Council also adopted a resolution asking its Economic and Employment Commission to report on the general questions involved in the creation of regional commissions. This report will not come before the Council until its July 1948 session, and until then it cannot be judged whether or to what degree the regional commissions will generally supersede the functional as the means of approach to economic problems, as has been the tendency in 1947.

OTHER ECONOMIC ACTIVITIES

The functional commissions of the Council showed varying degrees of accomplishment. The Economic and Employment Commission met twice in 1947. It was plagued, particularly at its second session, by the essentially political disputes already alluded to, so that the results obtained by the Commission itself, and by the Council in its discussion of the Commission's report, were disappointingly meager.

The Fiscal Commission, on the other hand, had a successful session. Its recommendations were in very large measure approved by the Council, and an extensive and useful program of research in the technical fields of government finance and international taxation problems has been laid out.

International action in the economic and social field is hampered by the lack of adequate basic statistical information. In many areas the data is simply not available. In other fields, though information may be fairly completely collected and reported, such varying methods are followed that two collections of information, when compared with each other, give a distorted picture of relationship. The Statistical Commission has made progress on both these problems. It has forwarded the technique of statistical sampling as a relatively quick and inexpensive way of filling those gaps where information is totally missing. And to promote comparability it has proceeded to good effect with the complicated and technically controversial task of standardizing basic statistical classifications, to the end that all countries may eventually use the same statistical language.

In the field of transportation and communications a conference sponsored by the Economic and Social Council has examined questions of passports and frontier formalities, and its conclusions will be further reviewed by the Economic and Social Council and its Transport and Communications Commission, and by the various governments, with a view to eliminating unnecessary restrictions on international movements. Work in the field of safety in transportation has also been carried forward, and early in 1948 a meeting of experts will be held at which it is hoped to develop through the international

shipping, aviation, telecommunications, and meteorological organizations a coordinated approach to the problem of safety at sea and in the air. The Council has authorized the calling of an international conference to consider the establishment of an intergovernmental maritime organization. This conference is now set for February 1948.

SOCIAL QUESTIONS

The General Assembly in 1946 authorized the expenditure of $670,000 to continue the social-welfare services originally carried on by UNRRA. The Council and its Social Commission followed this program closely throughout the year. It was eventually decided, with the United States concurring, that, although the carrying out of such an operating program by the Council and the Secretariat was not in strict accord with the view that the Council should be a coordinating body only, the value of the program was such that it should be continued for another year.

The Council also followed closely the activities of the International Children's Emergency Fund, established by the General Assembly at its first session on recommendation of the Economic and Social Council. The United States is the chief contributor to this fund, having already, through congressional appropriation under Public Law 84 of the 80th Congress, given $15,000,000. Under the same authority, up to $25,000,000 more may be given by the United States to this fund, in a specified ratio to contributions made by other governments.

Of related interest has been the development within the Council of the project for individual, as distinguished from governmental, contributions to this fund. This was originally proposed as a "one day's pay" plan, under which people in all countries would be asked to give a day's pay to the fund. Discussion in the Council developed the view that this approach, while suitable in some cases, might not be universally acceptable, and the project for individual contribution is now going forward under the title "United Nations Appeal for Children", contributions for which are to be solicited in each country by national groups familiar with the local circumstances and conditions.

One aspect of the relationships between the Economic and Social Council on the one hand and its commissions and the specialized agencies on the other is shown by the Council action on trade-union rights. This topic was brought up at the March session. As the subject matter fell directly in the field of the International Labor Organization, the documents were referred to that body with a request for prompt consideration and report. The documents were also sent to the Council's own Commission on Human Rights, as being relevant to that

Commission's chief present task, the preparation of a general declaration of human rights.

The ILO took up this topic at its 1947 meeting, adopted a resolution expressing principles of freedom of association and of protection of the right to organize and bargain collectively, and undertook to study further the application of these principles, their embodiment in conventions, and international machinery to safeguard them. This action was reported to the Economic and Social Council at its July session. The Council endorsed the principles expressed and requested the ILO to continue the work it had outlined.

In short, the ILO was given the detailed work within its area of particular competence, subject to general policy comments by the Economic and Social Council. This course was advocated by the United States, though other members urged that the Economic and Social Council itself deal with the subject in detail.

HUMAN RIGHTS

Two other matters are of such importance, both intrinsically and because of the time devoted to them, as to warrant special mention. The first is the preparation of a bill of human rights, which is the primary responsibility of the Commission on Human Rights. The first draft of the bill was prepared by a special drafting committee of the Commission, composed of eight members representing the major legal systems of the world.

In the discussions of the draft a question arose over the form the bill was to take. The Representative of the United States proposed that it should be in the form of a declaration, a statement of principles and aims, which while not legally binding upon the members would give a powerful impetus to the promotion of human rights throughout the world. The United Kingdom took the lead in urging the conclusion of a convention on human rights, which by necessity would have to be confined to a strictly limited number of basic rights but which would be enforceable under international law. This discussion resulted in the preparation of both a declaration of human rights and the draft of a convention, which are now before the Commission on Human Rights for further refinement. They are likely to come before the General Assembly at its Third Session in 1948.

Within the United States Government, representatives of all the interested Government agencies, including the Departments of State, Labor, and Justice and the Federal Security Agency, have given careful consideration to the two drafts. In cooperation they condensed into a decalog the draft declaration prepared by the drafting

committee of the Commission on Human Rights, and submitted this to the Commission on Human Rights as a United States proposal. It was felt that this condensation of human rights into 10 succinct articles would carry greater force than the 36 detailed articles which appear in the original draft. In the preparation of this short-form bill the United States Government entered into close consultation with scores of private organizations in the United States interested in problems of human rights with the result that the short-form bill reflects the considered suggestions of a large number of private organizations within the United States.

The second matter, preparations for the Conference on Freedom of Information, scheduled to be convened in Geneva, in March 1948, has also required much time and effort during this year, not only from the Subcommission on Freedom of Information and of the Press but from the Council itself. The Subcommission, which met during May and June 1947, submitted to the Council a provisional agenda for the Conference, together with a recommendation that each member state be requested to answer a questionnaire intended to reveal existing practices in the field of freedom of information.

In both bodies a marked difference in point of view and approach was manifested during discussions of the proposed agenda. The United States urged that the agenda should emphasize items calling for the elimination of the political, economic, and commercial obstacles to the free international flow of news and information. The U. S. S. R., on the other hand, stressed the necessity for insuring the responsibility of information media and urged that the agenda should provide for a discussion of the "tasks" and "responsibilities" of the press. The agenda as finally adopted contains all the items which are considered important from the point of view of the United States, while at the same time permitting discussion of the Soviet proposals.

RELATIONS WITH SPECIALIZED AGENCIES

It has been pointed out that in future the Council will increasingly be concerned with coordination of the activities of the specialized agencies and that a necessary preliminary is the making of agreements with these bodies. Nine such agreements have now been negotiated, of which five were approved by the Economic and Social Council in 1947: those with the Universal Postal Union, the International Telecommunication Union, the World Health Organization, the International Bank for Reconstruction and Development, and the International Monetary Fund. All were negotiated for the United Nations by a special committee of the Council. Substantial controversy arose

only with respect to the agreements with the Bank and the Fund, where the U. S. S. R. urged that undue autonomy was granted to these specialized agencies. The United States view, which prevailed by a large majority in the Council, was that as a matter of policy the United Nations should refrain from making recommendations as to particular loans by the Bank, because of possibilities of political pressure, and that both the Bank and the Fund should be free from budgetary control in view of the fact that their administrative expenses, unlike those of other specialized agencies, are met from the proceeds of their own operations. As has been seen in an earlier chapter, the agreements with the Council were approved by the Assembly.

NONGOVERNMENTAL ORGANIZATIONS

The Council made substantial progress in developing consultative relationships with nongovernmental organizations as provided for in article 71 of the Charter. The fact that many work hours of each session of the Council were devoted to discussions of the specific organizations to be brought into consultative relationship, and the even more telling fact that the Council's Committee on Nongovernmental Organizations held more than 30 meetings devoted to a study of these organizations and their potential contributions, offer ample proof of the importance attached by the Economic and Social Council to these organizations. As a result of these labors the Council greatly enlarged the number of organizations with which it is ready to consult. To date eight major organizations have been admitted to the top category (a), which consists of organizations of labor, business and management, farmers, and consumers which have a "basic interest in most of the activities of the Council and are closely linked with the economic and social life of the areas they represent." Fifty-three organizations have been admitted to category (b), which includes the organizations having a special competence and concerned with only a few of the fields of activity covered by the Council. Three organizations have been given status in category (c), which includes organizations concerned primarily with public opinion and the dissemination of information. The overwhelming number of these organizations are international in character. The national organizations selected for consultative relationship are the National Association of Manufacturers (U.S.), Carnegie Endowment for International Peace (U.S.), All India Women's Party (India), and Howard League for Penal Reform (U.K.). In evidence of the fact that these consultative arrangements are beginning to be

effective, it is worthy of note that the Economic and Social Council discussed in the course of the year three items which have been put on the agenda upon the request of three of the category (a) organizations, one of which was the American Federation of Labor, another the World Federation of Trade Unions, with which the CIO is affiliated, and the third the International Cooperative Alliance.

FORMER LEAGUE OF NATIONS FUNCTIONS

A necessary and useful task performed by the Council during the year was the giving of formal authority for the assumption by the United Nations of various responsibilities held in the past by the League of Nations. These relate to such topics as child welfare, narcotic drugs, and traffic in women and children and in obscene publications; in all these fields the League had achieved commendable advances which can now be consolidated and furthered by the United Nations. It is the hope of the United States that the Economic and Social Council can continue to forward constructive work in these and similar unspectacular but valuable areas of endeavor as well as in the more prominent fields of its work.

IV. Non-Self-Governing Territories and the Trusteeship System

THE CHARTER OF THE UNITED NATIONS encompasses on one hand certain limited international rights and powers in regard to development of areas governed as dependencies, and on the other hand various arrangements and responsibilities in regard to territories placed within the United Nations trusteeship system by means of agreements. During 1947 noteworthy developments occurred in each of these fields.

DEVELOPMENTS AFFECTING DEPENDENT AREAS

This field of the work of the United Nations is marked by both technical controversy and great promise of constructive action. Controversy arises largely from basic difference of opinion as to the method and rate of speed by which the colonies, protectorates, and other dependent territories shall attain full self-government or independence and the degree of international accountability of administering powers under the Charter for the political progress of areas under their control. Many of the states now administering such areas, while recognizing the need of change and development in the administration of dependent areas, desire that such progress come through a process of increasing political experience and that the competence of the United Nations under chapter XI of the Charter shall not be enlarged upon through interpretation at this time. Some other powers, such as China, the Philippines, and India, desire that progress be made more rapidly and that the responsibilities of the United Nations in connection with the political developments of such areas be enlarged wherever possible.

It would seem that in some other cases, such as those in the Soviet Union, the Ukraine, Byelorussia, Poland, Czechoslovakia, Yugoslavia, and a few others, political rather than humanitarian interests may have dictated the part taken in this question.

The United States Delegation in the various United Nations meetings has constantly striven to further the traditional policy of the United States of favoring the aspirations for self-government or inde-

pendence of peoples who are capable of accepting responsibility of such status. To this end, the United States has attempted to liberalize the policies and aims of certain of the administering states and also to combat intransigence and mere propaganda on the part of some of the nonadministering states. The United States, aware of the necessity of giving due weight to all the factors including the political effect of differences of opinion among concerned states, has taken the position that the many steps that can be taken for the political, economic, and social advancement of dependent peoples and their attainment of self-government or independence should be energetically encouraged but that the process must be one within the framework set by the provisions of the Charter of the United Nations.

Since the drafting of the Charter the tempo of world events and the awakening of the dependent peoples themselves have greatly accelerated the process of development toward full self-government or independence. Outstanding have been (1) the recognition of the independence of the Republic of the Philippines; (2) the creation of two independent dominions, India and Pakistan, carved out of the former Indian Empire; (3) the granting of independence to Burma; (4) the struggle in Indonesia for new political forms; and (5) the struggle of the Indochinese Vietnam for independence. Similar processes are at work in other dependent areas of the world.

This situation was sharply recalled in the discussions of the Trusteeship Council, in the *Ad Hoc* Committee on Information from Non-Self-Governing Territories, and in the Fourth Committee and plenary meetings of the General Assembly. It was argued throughout the discussions that the administration of dependent areas as at present existing is unjust to the dependent peoples; that the resources of those areas are used for the benefit of the administering states rather than of the inhabitants; and that those areas are used as a source of cheap labor. Counterarguments were advanced by administering states that their territories are soundly evolving toward self-government or independence and that in fact under existing progress these areas enjoy greater freedom than obtains in the metropolitan areas of some Members of the United Nations. Some of the administering states have held that these territories are under their sovereignty or jurisdiction and that any interference savors of an intrusion on their rights and is thus contrary to the domestic-jurisdiction clause of the Charter.

The broadest reflection of the contrasting attitudes was illustrated by a resolution, introduced in the General Assembly by India, which asserted that it was the intention of the Charter that non-self-governing territories should be placed under trusteeship, declared that trusteeship was the "surest and quickest" way to self-government or

independence, and expressed the hope that administering states would propose trusteeship agreements for such territories.

Some of the administering states took the attitude that they too favored the speediest possible evolution of colonial territories toward self-government but disagreed with the means proposed to attain that end. In their view, the Indian proposal was an attempt to rewrite the Charter by Assembly resolution. The achievement of self-government was a living process differing from territory to territory. Modern colonial policy was dynamic and imaginative, promoting social democracy and giving financial and technical assistance in all practicable ways. Many territories which wished to be self-governing would not desire to be placed under trusteeship.

The United States Delegation stated that the "old colonial system" was obsolete but that this resolution involved, in effect, a vote of nonconfidence in the operation of chapter XI. Furthermore it was predicated upon the false assumption that the trusteeship system was the "quickest" means of enabling the peoples of dependent territories to secure self-government. The United States Delegate pointed out that chapter XI dealt with the heart of the colonial problem and that, since it had come into force, approximately 500 million non-self-governing people had attained, or were on the verge of attaining, independence. He said further that the entire category of territories detached from enemy states had been omitted from the Indian resolution and pointed out that certain territories, such as the former Italian colonies, might be placed under trusteeship.

The Indian resolution was adopted by the Fourth Committee by a close vote of 25 to 23. In the plenary session, where it was held to be an important question requiring a two-thirds majority, it was rejected by a vote of 24 to 24, with one abstention.

1. Information From Administering States

During 1947 eight Members of the United Nations, including the United States, transmitted, in accordance with chapter XI of the Charter, information about 61 non-self-governing territories, inhabited by 175 million people. The question of how the United Nations should deal with this information was discussed successively in 1947 by the *Ad Hoc* Committee, by the Fourth Committee, and by the General Assembly. Differences of view between administering and non-administering Members principally emerged on the nature of chapter XI of the Charter and of the obligations assumed thereunder by Members administering non-self-governing territories, the extent to which the General Assembly may establish special machinery to oversee

the fulfilment of these obligations, and the question of whether article 73 *e* makes obligatory the transmission of political information.

The administering Members stressed the special character of chapter XI of the Charter as a unilateral declaration of intention on their part. From this interpretation and from the statement in the Charter that information was to be transmitted to the Secretary-General "for information purposes" they logically held that the Charter did not envisage any machinery for the examination of this information or for the making of recommendations with respect to it. Therefore, while they consented with certain reservations to the setting up of a committee to examine the information, they insisted on carefully defined terms of reference for the committee. On the issue of whether the submission of political information was required, the administering Members held that the framers of the Charter, by specifying in article 73 *e* that the information was to be "of a technical nature relating to economic, social, and educational conditions", deliberately excluded the obligatory transmission of political information.

The nonadministering Members, on the other hand, took the position that chapter XI was a treaty obligation, not a mere unilateral declaration. They contended for a permanent committee of the General Assembly with unlimited powers to examine the information and make recommendations to those administering non-self-governing territories. Further, the nonadministering Members, calling attention to the difficulty of segregating political information from economic, social, and educational information, contended that political information should be transmitted.

The *Ad Hoc* Committee on the transmission of information under article 73 *e* of the Charter, appointed under a General Assembly resolution of December 14, 1946,[23] met at Lake Success from August 28 to September 12, 1947. Of the 16 members of the Committee, 8 represented states administering non-self-governing territories and transmitting information, i.e. Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom, and the United States. The other 8 members had been elected by the General Assembly: Brazil, China, Cuba, Egypt, India, the Philippine Republic, the Soviet Union, and Uruguay.

The *Ad Hoc* Committee adopted five resolutions dealing respectively with:

1. A provisional standard form for the guidance of members in the preparation of information to be transmitted;
2. Supplementary documents;

[23] *The United States and the United Nations, Report by the President to the Congress for the Year 1946* (Dept. of State pub. 2735), pp. 65, 122.

3. Voluntary transmission of information regarding the development of self-governing institutions in the non-self-governing territories;
4. Collaboration with the specialized agencies; and
5. The creation of a special committee.

In the discussion of Resolution 1, the United States Delegation contributed a draft outline, or provisional standard form, for the guidance of administering nations in the preparation of information for transmission, which with some amendments was unanimously adopted. The first part of this standard form relates to general information, certain parts of which are of a political nature and of which the transmission is optional. The other parts refer to economic, social, and educational conditions.

The question of supplemental information (incorporated in Resolution 2) or official documents other than those transmitted under article 73 *e* was first raised by the United States and Cuba. The United States Delegation considered this one of the most important of the resolutions because it authorized the Secretary-General to use, in his analyses and summaries of information required under article 73 *e*, supplemental official and scientific documents approved by the administering powers. Furthermore, the United States supported a proposal by the Danish Delegation, later incorporated as the sixth paragraph of the United States-Cuban resolution, which provided that for purposes of comparison the Secretary-General should be authorized to include in his summaries, in addition to the information transmitted on non-self-governing territories, all relevant and comparable official statistical information available in the statistical services of the Secretariat which might be agreed upon between the Secretary-General and Member states. By this provision information as to conditions in independent states would be included.

On the other hand, the nonadministering states argued against the proposal to allow comparisons between non-self-governing territories and independent states generally, as outside the scope of chapter XI of the Charter. Resolution 2 was finally adopted by a vote of 12 to 1. However, strong feeling existed on the resolution, and the representatives of Cuba, Egypt, India, and the Soviet Union reserved their position.

In the discussion of Resolution 3, it immediately became evident that some nonadministering members of the Committee would make obligatory the inclusion of information of a political nature in the transmissions required under article 73 *e* of the Charter. The Soviet Union, joined chiefly by the Delegations of India, Egypt, and the Philippines, strongly argued that no rigid demarcation could be made between political and other types of information and that, since Mem-

bers administering non-self-governing territories had obligated themselves in article 73 *b* to promote the political progress of non-self-governing peoples, the transmission of political information was necessary if the United Nations was to judge the extent to which these Members had fulfilled their obligations under article 73 *b*.

The administering states, supported by Uruguay and Brazil, argued on the other hand that the Charter by specifying that the information to be transmitted was "information of a technical nature on economic, social, and educational conditions" had ruled out political information. It was pointed out that when the Charter was drafted at San Francisco a proposal to require transmission of political information was rejected.

After heated debate, the Committee reached the decision (by a vote of 8 to 0, with three abstentions) that Members responsible for non-self-governing territories might voluntarily transmit information concerning the development of self-governing institutions to the Secretary-General. The Committee noted that certain Members, including the United States, had already submitted such information and that such voluntary transmission was in accordance with the spirit of article 73 *e* and should therefore be encouraged.

There was little controversy over Resolution 4 concerning collaboration with the specialized agencies. The resolution suggested that the Secretary-General should enter into relations with the secretariats of the specialized agencies so that they might assist him in preparing analyses of the information transmitted; that the specialized agencies might make recommendations to the General Assembly regarding the form and content of the information; and that the specialized agencies might bring to the General Assembly conclusions based on the information transmitted under article 73 *e* and on the supplemental information as to conditions in the non-self-governing territories.

The final resolution (Resolution 5) proposed the creation of a special committee to examine the information transmitted under article 73 *e*. The nonadministering states, especially India, sought to make this special committee as far as possible the counterpart, for non-self-governing territories, of the Trusteeship Council in trust territories, and to give it unlimited powers of recommendation. On United States initiative, an Indian proposal calling for the establishment of a permanent committee was amended to establish a special committee of the Fourth Committee of the General Assembly, with a limitation on substantive recommendations. According to the amendment, the committee could make recommendations about health, labor, and similar matters in non-self-governing territories generally but not with respect to individual territories.

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Thus, in this *ad hoc* committee, the membership of which was equally balanced between administering and nonadministering Members, the resolutions adopted represented compromise solutions between disparate points of view.

2. Action of the General Assembly

In the Fourth Committee of the Assembly, in which all 57 Members participate, and where the nonadministering states are in a large majority, a determined effort was made to amend Resolutions 2, 3, and 5 while Resolutions 1 and 4 were adopted with slight amendments.

The nonadministering states succeeded in the Committee, by narrow margins, in amending the original texts of the three resolutions that they attacked. Resolution 2 was amended (22 votes to 18) by the Soviet Union to permit comparison only between non-self-governing territories and the respective metropolitan states. The Soviet amendment to Resolution 3 (adopted by 20 votes to 19) made the transmission of political information mandatory. An Indian amendment to Resolution 5 (passed 23 to 19) set up a special committee on information and placed no limits on its powers of recommendation.

However, in plenary meeting the General Assembly, after adopting the uncontroversial Resolutions 1 and 4, rejected these amended texts of Resolutions 2, 3, and 5 as recommended by the Fourth Committee and approved the texts originally adopted by the *ad hoc* committee.

The members of the Special Committee on Information as constituted include, aside from the eight administering states—Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom, and the United States—eight nonadministering states: China, Colombia, Cuba, Egypt, India, Nicaragua, Sweden, and the Soviet Union. The Assembly decided that the Committee should meet not less than two weeks before the next regular session of the Assembly.

3. Specialized Agencies and Regional Commissions

In many other fields of international cooperation, special efforts were made by the United Nations, and also directly by administering states, to foster the well-being of non-self-governing territories. These included the work of the specialized agencies which are related to the United Nations and also of the Caribbean Commission and the

projected South Pacific Commission, which have no organic relationship with the United Nations but have provision for cooperation.

Among the most active specialized agencies in this field is the International Labor Organization. The ILO Conference which met in Geneva in 1947 demonstrates the important role which specialized agencies are playing in the advancement of non-self-governing territories. This Conference, in which the United States participated, adopted a convention concerning social policy in nonmetropolitan territories designed to establish international social and economic standards for dependent areas.

In the agreement setting up the Caribbean Commission, signed on October 30, 1946, the Governments of the United Kingdom, the United States, France, and the Netherlands stated that they desired, by establishing this consultative and advisory body, to improve the economic and social well-being of the peoples of their Caribbean territories which they regarded as "in accord with the principles of the Charter of the United Nations." [24] The agreement provides that the Commission and its auxiliary bodies, while having no present connection with the United Nations, shall cooperate as fully as possible with the United Nations and with appropriate specialized agencies on matters of mutual concern within the terms of reference of the Commission. Such cooperation has already been established at the secretariat level.

At the South Seas Conference at Canberra, Australia, an agreement establishing the South Pacific Commission was signed on February 6, 1947, *ad referendum* by delegates representing the Governments of Australia, France, the Netherlands, New Zealand, the United Kingdom, and the United States. The powers and functions of the projected South Pacific Commission are generally similar to those of the Caribbean Commission, and the agreement similarly provides for cooperation with the United Nations. The agreement contemplates a research council and periodic conferences of the representatives of the peoples in the South Pacific.

Legislation to authorize United States participation in the South Pacific Commission was enacted early in 1948. Similar legislation in regard to the Caribbean Commission awaits action by the Congress.

DEVELOPMENT OF THE TRUSTEESHIP SYSTEM

All the former mandated territories except the Japanese Mandated Islands, Nauru, South West Africa, and Palestine had been placed

[24] The Commission developed from the Anglo-American Caribbean Commission, established on Mar. 9, 1942, which was enlarged in December 1945 to include France and the Netherlands and was renamed at that time.

under the trusteeship system at the Second Part of the First Session of the General Assembly in 1946. The United States submitted to the Security Council a strategic trusteeship agreement for the former Japanese Mandated Islands which was approved by the Council on April 2, 1947. At its Second Session the General Assembly approved a trusteeship agreement for the island of Nauru. Although invited by the General Assembly to do so, the Union of South Africa has not yet submitted a trusteeship agreement for South West Africa. Finally, the General Assembly, in its Special Session this year and in its second regular session, gave special attention to the other remaining mandated territory—Palestine.

1. The Trust Territory of the Pacific Islands

The Marshall, Caroline, and Marianas Islands, formerly mandated to Japan, have been placed under the United Nations trusteeship system through a trusteeship agreement between the United States and the Security Council of the United Nations. The agreement, fully protecting the security interests of the United States, designates this Government as the administering authority and hence as accountable to the United Nations for the protection of the human rights and fundamental freedoms as well as the political, economic, social, and educational advancement of the inhabitants of the trust territory.

All the interested governments were consulted in the process of obtaining the Security Council's approval of the agreement. The United States Government on November 6, 1946, transmitted a draft trusteeship agreement for the former Japanese Mandated Islands to the other members of the Security Council and to New Zealand and the Republic of the Philippines for information.[25] On February 17, 1947, this draft agreement, since it related to a strategic area, was formally submitted to the Security Council.

The Security Council considered the draft agreement at four meetings between February and April 1947. Several governments initially felt that the agreement should not be concluded until after the peace settlement with Japan. The United States Government maintained that the question of the former Japanese Mandated Islands did not depend upon, and need not await, the peace settlement with Japan. The United States saw no reason why this matter should be postponed but was willing, after the formal presentation of its proposals, to consider such postponement as the Security Council might deem necessary.

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[25] *The United States and the United Nations, Report by the President to the Congress for the Year 1946*, pp. 74, 164.

During the course of the Council's discussions, its deliberations were widened so as to permit the Governments of Canada, India, the Netherlands, New Zealand, and the Republic of the Philippines, the other members of the Far Eastern Commission not represented on the Council, to express their views. As a result, the proposal to delay the question until a peace settlement with Japan was withdrawn.

Three amendments, none of which fundamentally altered the agreement, were proposed by members of the Security Council:

Article 3, regarding the conduct of administration, was amended by removing from it the phrase "as an integral part of the United States". In accepting this amendment, the United States Representative stated: "In agreeing to this modification my Government feels that it should affirm for the record that its authority in the Trust Territory is not to be considered in any way lessened thereby".

Article 6 (1) was amended by adding after the words "toward self-government", the words "or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned". In accepting this modification, the United States Representative declared that "the United States feels that it must record its opposition not to the principle of independence, to which no people could be more consecrated than the people of the United States, but to the thought that it could possibly be achieved within any foreseeable future in this case".

Article 6 (1) was amended by deletion of the word "local" from the phrase "in local government".

Article 7 was perfected at the request of the United States Representative by moving forward the phrase "freedom of conscience" so that it is not "subject to the requirements of public order and security".

The changes mentioned above were accepted by the United States Representative. There were no objections to his interpretations of the amendments thus accepted. The trusteeship agreement so amended, containing substantially our original proposals, was approved unanimously by the Security Council on April 2, 1947.[26]

After approval by the Security Council the agreement, before it could come into force, still required approval by the United States Government in accordance with due constitutional process. The President, therefore, in a communication to the Congress on July 3, 1947, recommended that the Congress take action enabling this Government to approve the trusteeship agreement for the trust Territory of the Pacific Islands. With respect to the form of congressional ac-

[26] For text of the agreement, see *ibid.*, pp. 164–68 .

tion desired, the President stated that action either by a joint resolution or by the treaty process would be constitutionally permissible but that a joint resolution seemed appropriate in this instance.

Congressional leaders concurred with the view of the President and companion joint resolutions were introduced in the Senate and the House of Representatives. On July 18 a joint resolution giving the President this authority was approved (Public Law 204, 80th Cong.) and the President instructed the Secretary of State "to notify the appropriate organs of the United Nations that this Agreement, having been duly approved by the Security Council and by this Government, enters into force as of this date". On the same day the President issued Executive Order 9875 terminating military government in the former Japanese Mandated Islands and delegating responsibility for civil administration, on an interim basis, to the Secretary of the Navy, pending transfer to a civilian department or agency of the Government at the earliest practicable date.

Under article 12 of the trusteeship agreement the United States is obligated to enact such legislation as may be necessary to place the provisions of this agreement in effect in the trust territory. Enactment of legislation for the trust territory, as well as for Guam and American Samoa, is now being awaited. On request of the President, the Department of State in consultation with other interested departments is preparing suggestions for organic legislation for the consideration of the Congress.

The Security Council was notified by the United States Representative that, effective December 1, 1947, Eniwetok Atoll in the Marshall Islands and the territorial waters surrounding this atoll are closed for security reasons, in order that this Government may, through its national Atomic Energy Commission, conduct necessary experiments relating to nuclear fission. Entry into the closed area is subject to such regulation as this Government may prescribe. Apart from such regulation, the functions of the United Nations in regard to questionnaires, reports, and petitions continue to be applicable to the trust territory in accordance with article 13 of the trusteeship agreement. The people of Eniwetok Atoll are being moved with their consent to new homes in a site which they have selected. All possible measures will be taken to insure that the people of the area will be subject to no danger and to a minimum of inconvenience.

The United States has agreed that, except for such areas as may be closed from time to time for security reasons, its execution of the obligations assumed under the trusteeship agreement toward the 50,000 inhabitants of the trust territory shall be subject to full United Nations supervision. Thus, the efforts of the United States to promote the advancement of the inhabitants of the trust territory will be reviewed by

the United Nations through an examination of annual reports which this Government will prepare on the basis of an exhaustive questionnaire, through periodic visits to the territory, and through an examination of petitions relating to the territory.

2. Other Mandated Territories: Nauru and South West Africa

Australia, New Zealand, and the United Kingdom jointly submitted to the second annual session of the General Assembly a trusteeship agreement for the mandated island of Nauru, located near the equator in the central Pacific. The agreement provided that Australia would administer the island on behalf of the three states until it was otherwise agreed upon.

The Soviet Delegation contended that the proposed terms of trusteeship and the method of concluding the agreement were contrary to the Charter. After the agreement was considered by a subcommittee, however, it was approved after slight amendment by a vote of 41 to 6 in the Fourth Committee. Voting against the agreement were Byelorussia, Czechoslovakia, Poland, the Ukraine, the Soviet Union, and Yugoslavia. The General Assembly in plenary meeting then approved the agreement by a vote of 46 to 6, the largest favorable vote yet obtained in the General Assembly for any trusteeship agreement.

The debate in the General Assembly on the future status of the mandated territory of South West Africa followed the pattern of the 1946 discussions.[27] At the outset the Government of the Union of South Africa announced that, although it found itself unable to proceed with the General Assembly's recommendation to submit a trusteeship agreement for South West Africa, it did not intend at the moment to incorporate that territory in the Union. It intended to maintain the *status quo* in the spirit of the mandate and would transmit information on the territory annually for the "information" of the United Nations. Information relating to 1946 had been sent to the Secretary-General.

The Indian Delegation and some 20 others argued that South Africa was legally as well as morally bound to submit a trusteeship agreement for South West Africa. The Delegations of Australia, Belgium, Canada, Denmark, France, Greece, the Netherlands, New Zealand, the United Kingdom, and the United States did not accept this interpretation and considered that the submission of trusteeship agreements was a voluntary process.

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[27] *Ibid.*, pp. 72, 121.

The Fourth Committee, after long discussion, adopted by 27 to 20 a resolution sponsored by the Indian Delegation, the United States voting in the negative. The resolution included a provision authorizing the Trusteeship Council to examine the report on South West Africa for 1946. When the plenary meeting decided that the question was important and required a two-thirds majority, a Danish amendment was offered to assure passage of a resolution. This deleted a clause implying that the Union was under a legal obligation and provided a less rigid time-limit for the submission of a trusteeship agreement. The United States voted in favor of, and the Soviet Union against, the Danish amendment, which was adopted by the General Assembly by a vote of 36 to 9, with 11 abstentions. The amended resolution was carried by a vote of 41 to 10, with 4 abstentions.

3. The Trusteeship Council

In the course of 1947 the Trusteeship Council held two sessions at Lake Success, the first from March 26 to April 28 and the second from November 20 to December 16, when the Council recessed until February 1948.

In view of the fact that the eight trusteeship agreements approved by the General Assembly on December 13, 1946, had designated Australia, Belgium, France, New Zealand, and the United Kingdom as administering authorities, these powers automatically became members of the Trusteeship Council. The other three great powers—the Soviet Union, the United States, and China—became nonadministering members. In order that the total membership of the Trusteeship Council should be equally divided between administering and nonadministering states as required by article 86 of the Charter, the General Assembly in 1946 elected two other members—Mexico and Iraq. After the trusteeship agreement for the former Japanese Mandated Islands came into force, the United States became an administering member; hence the General Assembly in 1947 elected two more nonadministering members—Costa Rica and the Philippine Republic—to restore the balance in the Council. The Soviet Union failed to take its seat at either session of the Council.

At its first meeting Francis B. Sayre, United States Representative, was elected President of the Trusteeship Council and Sir Carl Berendsen (New Zealand), Vice President.

Benjamin Gerig was designated by the President of the United States as United States Deputy Representative and took the United States seat at the Council table during the presidency of Mr. Sayre.

The Council devoted much of the first session to the consideration and adoption of its rules of procedure. The draft provisional rules

recommended by the Preparatory Commission were considerably modified in the light of the experience of other organs of the United Nations and were then adopted unanimously.

The Council also gave attention to its relationship to the Economic and Social Council and to the Security Council. It consulted with the former on matters of mutual concern, and its representatives participated in certain of the deliberations of the Committee on Negotiations with Inter-Governmental Organizations.

Both the Trusteeship Council and the Security Council considered, late in 1947, the methods by which the United Nations should supervise United States administration of the trust Territory of the Pacific Islands. Neither the Charter nor the trusteeship agreement made clear what functions the Security Council was to perform and to what extent it was to direct the functions of the Trusteeship Council with respect to this trust territory. The Security Council asked its Committee of Experts to consider the question, and the Trusteeship Council asked its President, and two other members of the Council to be appointed by him, to consult with the Security Council about the matter.

Having completed its organizational work, the Council was able to begin its important work of supervising the administration of the 10 territories which had been placed under trusteeship by the end of 1947 and of preparing for the administration of the City of Jerusalem. Its regular supervisory work relates to reports, petitions, and visits.

4. Reports

The Trusteeship Council adopted a provisional questionnaire as called for in article 88 of the Charter, using a United States draft as a working paper. The questionnaire thus adopted was transmitted to the administering authorities to be the basis for their annual reports on conditions in the trust territories. The administering authorities, the Economic and Social Council, and the specialized agencies were asked to comment on the provisional questionnaire. At the second session the Council decided to postpone any revision of the questionnaire until its next regular session, when all the comments will have been received.

At its second session, the Trusteeship Council considered reports for 1946–47 from Australia as administering authority for New Guinea, and from New Zealand as administering authority for Western Samoa. These reports covered the period immediately before and after the territories were placed under trusteeship, and the report on New Guinea was based as far as possible on the Trusteeship Council's provisional questionnaire. Final action on the New Guinea report was deferred until the Council reconvenes in February 1948.

The Council also examined, under the authority of the General Assembly, the report on the mandated territory of South West Africa submitted by the Union of South Africa. It adopted a resolution proposed by the United States inviting the Union Government to supply supplementary information before June 1948 on some 50 questions in order that the Council might submit its observations to the General Assembly at its next session.

5. Petitions

At its first session the Trusteeship Council began its examination of petitions relating to trust territories, including the following:

1. A petition from the leaders and representatives of Western Samoa requesting that the territory be granted self-government, that New Zealand should act as protector and adviser to Samoa, and that "the unnatural division of Eastern and Western Samoa be held in abeyance until a meeting could be convened". A visiting fact-finding mission, as indicated below, was sent to Western Samoa.

2. A petition from former Italian and German residents in Tanganyika protesting against repatriation and requesting permission to remain in the territory. The Council approved the general policy being followed by the administering authority and decided that no action by the Council was called for at this time.

In its second session, the most important of the many petitions considered was one from the All-Ewe Conference concerning the trust territories of Togoland under French and British administration. For the first time the Council heard an oral presentation, by Sylvanus Olympio of the Ewe, of a petition delivered by the special representative of a trusteeship people. This petition urged the unification of all the Ewes in Togoland, as well as those in the Gold Coast, under one administration, and suggested that a plebiscite be held to choose the administering authority. The United Kingdom and France, while opposing the creation of a united Eweland as an encouragement to the fragmentation of Africa, proposed to remove as far as possible obstacles impeding the movement of persons and goods across the frontier, to alleviate fiscal and cultural differences, and to create a consultative commission, on which the Ewes would be represented, to implement the program.

After considerable discussion the Council unanimously approved a resolution welcoming the joint proposal of the administering powers as an "earnest and constructive initial effort" to solve the immediate problem, recommending the fostering by the administering authorities of the capacity of the Ewe people for self-government through free

discussion among themselves and through increasing opportunities for education, and inviting the administering authorities to present to the Council a more precise statement of the proposed measures of co-ordination and to consult with one another and with the Ewes with a view to undertaking further measures. The Council also decided that the first visiting mission of the Trusteeship Council to the territories in question would give special attention to the problems set forth in the petition and to the implementation of the Anglo–French proposals.

6. Visits

One of the most significant functions of the Trusteeship Council, which was never possessed by the Permanent Mandates Commission of the League of Nations, is that of periodic visits to trust territories. At both sessions the Council considered measures insuring that the United Nations budget should provide for periodic visits to trust territories on the basis of one visiting mission each year. At its second session the Council made preliminary arrangements for a visit to Tanganyika and Ruanda-Urundi during 1948.

One of the most notable achievements of the Council during the year was the appointment, as a result of the petition referred to above, of a visiting mission to Western Samoa and the consideration of its report. The visiting mission consisted of Francis B. Sayre (U.S.), Pierre Ryckmans (Belgium), and Eduardo Cruz-Coke (Chile). It spent nearly two months in the territory and traveled extensively throughout the area consulting with the leaders of public opinion and the inhabitants in general. It made many specific recommendations in the political, economic, social, and educational fields. In the political field it recommended, among other things, that the indigenous inhabitants should be given a larger share in the administration of their territory and that Western Samoa should be given a larger measure of local autonomy *vis-à-vis* the New Zealand Government. The Trusteeship Council at its second session examined the report of the visiting mission and resolved that at the present time the people of Western Samoa should be accorded the measure of self-government recommended in the report and that "the people of Western Samoa should be encouraged and assisted to assume increasing responsibilities in self-government and ultimately be accorded full self-government as soon as they are capable of assuming the responsibilities involved".

7. City of Jerusalem

In addition to its regular trusteeship work the Council dealt with the question of a statute for the City of Jerusalem, as a result of the

resolution on the future government of Palestine adopted by the General Assembly on November 29, 1947.[28] The Council subsequently set up a working committee of six members—Australia, China, France, Mexico, the United Kingdom, and the United States—to prepare a draft statute.

The Working Committee, after electing the United States Deputy Representative as chairman, discussed the principal points of the General Assembly resolution and then established two drafting groups to prepare specific parts of the statute on the basis of views expressed. The Working Committee reconvened early in 1948 to complete the draft statute. The Trusteeship Council will reassemble in February 1948 to approve the statute and appoint the Governor of the City of Jerusalem.

CONCLUSION

The constructive work done by the organs of the United Nations, the specialized agencies, the Caribbean Commission, and the South Seas Conference indicates what may be accomplished if all nations cooperate for a common purpose. The United States is prepared to do its part, under the Charter, in this great work. The well-being of the millions of inhabitants of trust territories and of other non-self-governing territories is, and will continue to be, a matter of concern to our Government and our people.

[28] For text of resolution, see appendix I, p. 164.

V. The International Court of Justice

THE INTERNATIONAL COURT OF JUSTICE is one of the principal organs of the United Nations and is described in the Charter as the principal judicial organ. It is thus part of the machinery established by the Charter for the pacific settlement of international disputes.

The particular function of the Court is the determination of disputes which are susceptible of settlement on the basis of the legal rights and duties of the parties. In the exercise of its function of determining the applicable rules of law in disputed cases, the Court also has, within the framework of its judicial competence, the function of gradually developing the body of international jurisprudence to meet the changing needs of society. The Court is therefore of central importance to that line of approach to world peace which seeks the establishment of the rule of law in the relations between states. By the same token, one of the methods of advancing the rule of law is to endeavor to remove as many as possible of the areas of international controversy from the realm of politics and expedience and into the realm of international law.

In seeking to advance this objective, the Second Session of the General Assembly in its resolution of November 14, 1947, said that "it is . . . of paramount importance that the Court should be utilized to the greatest practicable extent in the progressive development of international law both in regard to legal issues between States and in regard to constitutional interpretation". It recommended that organs of the United Nations and the specialized agencies should from time to time review the difficult and important points of law within the jurisdiction of the International Court of Justice which have arisen in the course of their activities and involve questions of principle which it is desirable to have settled, including, in particular, points of law relating to the interpretation of the Charter of the United Nations or the constitutions of the specialized agencies, and, if duly authorized according to article 96, paragraph 2, of the Charter, should refer them to the International Court of Justice for an advisory opinion. Also on the same date the General Assembly adopted a resolution drawing the attention of Member states of the United Nations to the advantage of inserting in conventions and treaties clauses providing "for the submission of

disputes which may arise from the interpretation or application of such conventions or treaties, preferably and as far as possible to the International Court of Justice."

The General Assembly also recommended "as a general rule that States should submit their legal disputes to the International Court of Justice" and drew attention "to the desirability of the greatest possible number of States accepting this jurisdiction with as few reservations as possible."

The United States Delegation gave full support to these proposals at all stages of their consideration.

CASES BEFORE THE COURT

At the end of 1947 one case and one request for advisory opinion were pending before the Court.

The first of these is the *Corfu Straits* case, between the United Kingdom as applicant and Albania as respondent. The case arises out of incidents in the Corfu Channel on October 22, 1946, when two British destroyers were damaged by mines, with resulting loss of life and injury to members of the crews. A reference to the Security Council by the United Kingdom resulted in a recommendation by that body that the parties to the dispute refer the matter to the Court. The United Kingdom filed an application with the Court on May 22, 1947, and Albania, in a communication to the Court of July 21, 1947, indicated its readiness to appear. The dates for submission of the memorial and countermemorial were fixed by order of the President of the Court as October 1 and December 10, 1947, respectively. The Albanian pleading of December 10, 1947, took the form of an exception to the jurisdiction on the ground that a unilateral application by the United Kingdom was irregular in the circumstances, Albania not having accepted the Court's jurisdiction as compulsory.

The advisory opinion which was requested by a resolution of the General Assembly of November 17, 1947 will deal with the question of whether or not a Member state is entitled to make its consent to the admission of new members to the United Nations dependent on conditions not expressly provided by paragraph 1 of article 4 of the Charter, and in particular whether such Member state, while recognizing that the state concerned has fulfilled the conditions prescribed in that paragraph, may subject its affirmative vote to the additional condition that other states be admitted to membership in the United Nations together with that state.

COMPULSORY JURISDICTION

While the states of the world have long recognized the principles and force of international law, the establishment of the rule of law in international relations is fundamentally dependent upon the general willingness of states actually to submit their legal disputes to settlement by international tribunals. In the interest of achieving this result, the effort has been made for many years, by international jurists and by many states, to obtain general international agreement that any party to such a dispute may submit it, even without the consent of the other party, to the International Court with the resultant decision binding upon both parties. Such an agreement to be effective must necessarily recognize the right of the Court to determine whether a given case is in fact a legal dispute and consequently is susceptible of international adjudication.

The effort to obtain a general agreement to this effect as part of the Charter of the United Nations failed, as a similar proposal had failed in respect of the Covenant of the League of Nations. In substitution for this, a clause was placed in the Statute of the International Court of Justice (article 36, paragraph 2) enabling Member states to accept the Court's jurisdiction *vis-à-vis* other states accepting the same obligation. The present Statute also provides for the continuation in force, according to their terms, of previous similar acceptances of the jurisdiction of the earlier Permanent Court of International Justice.

The states reciprocally bound by such declarations are reported by the Registrar of the Court in the *Yearbook*, *1946–1947*, to total 26. The United States is included in this number by virtue of a declaration deposited pursuant to the Statute and having force for five years from August 14, 1946. The complete list of states having declarations in force, according to the *Yearbook*, *1946–1947* is as follows: Australia, Canada, China, Colombia, Denmark, Dominican Republic, El Salvador, France, Guatemala, Haiti, India, Iran, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Siam, Sweden, Turkey, Union of South Africa, United Kingdom, United States, and Uruguay.

Another method, especially provided for in the Statute, by which states may confer advance jurisdiction upon the Court in certain categories of cases is the inclusion in treaties of provisions that disputes concerning the interpretation or application of the treaty in question may be referred to the Court by any party. The present Statute contains a provision by which Members agree that undertakings of this character previously entered into with respect to the Permanent Court of International Justice continue in force as to

the present Court. The number of such instruments currently in force has not yet been reported.

A clause providing for reference of legal questions to the International Court of Justice (or optionally to an arbitral tribunal) is included in the constitutions of all specialized agencies that have been brought into relationship with the United Nations.

A "compromissary clause" providing for reference of legal questions to the Court is included in most of the United Nations trusteeship agreements so far approved.

ADVISORY JURISDICTION

By the Charter, the General Assembly and the Security Council may request advisory opinions from the Court, and the General Assembly may authorize other organs and specialized agencies to do so. The Economic and Social Council was authorized to request advisory opinions by a resolution adopted December 11, 1946, by the General Assembly, and the Trusteeship Council by a resolution adopted November 14, 1947.

The General Assembly has inserted an article on relations with the International Court of Justice in agreements it has approved with specialized agencies brought into relationship with the United Nations. This article obligates the specialized agency to furnish information to the Court and authorizes its appropriate high organ to request advisory opinions on legal questions arising within the scope of its competence "other than questions concerning the mutual relationship of the Organization and the United Nations or other specialized agencies." Notice of a request must be given to the Economic and Social Council.

ACTIVITIES IN 1947

Apart from its activities in the *Corfu Straits* case, mentioned above, the Court held a series of meetings from February 11 to March 14, 1947, for the consideration of administrative matters.

The Chamber for Summary Procedure is composed of five judges elected annually for a term beginning May 3. The Chamber to serve from May 3, 1947, was elected on February 21, 1947, and is composed of José Gustavo Guerrero (El Salvador), President, Jules Basdevant (France), Vice President, Sir Arnold Duncan McNair (U.K.), Serge Krylov (U.S.S.R.), and Hsu Mo (China). The alternate members are Charles de Visscher (Belgium) and Green H. Hackworth (U.S.).

The Court also appointed a standing Publications Committee and approved the publication of a yearbook under the responsibility of the Registrar. The yearbook will annually cover the period of one year from July 15, as did the *Annual Report* of the Permanent Court of International Justice, which it follows in form and arrangement.

The Court also approved its 1948 budget as well as staff regulations for the Registry, which performs the secretariat functions of the Court.

Judge Guerrero is President and Judge Basdevant Vice President of the Court for a period of three years, ending April 5, 1949. The full list of Judges is in an appended paper.

The appointment of the Registrar, Edvard Hambro (Norway), runs for seven years until April 5, 1953, and that of the Deputy Registrar, Jean Garnier-Coignet (France), until April 17, 1953. The Registry staff includes 24 persons.

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VI. The Secretariat

THE SUCCESS OF THE UNITED NATIONS is in the hands of its Members, working together through the General Assembly, the Councils, and the International Court. The role of the Secretariat in achieving success, while subordinate, is by no means passive. It is an indispensable factor for without its conscientious service the Organization would be paralyzed and revert to a diagram on paper. The United States, as all other Members, has a vital interest in the performance of the Secretariat in the development of the United Nations. The Secretariat cannot resolve basic differences among Members in the General Assembly and in the Councils. That is not its task. But it can prepare and facilitate the way for discussions and negotiations and assist in the carrying out of recommendations and decisions.

NATURE AND PROBLEMS

The Secretariat is one of the six principal organs of the United Nations. It is the central point of contact on United Nations affairs between Members themselves, between Members and the principal organs, between the public and the Organization, and between the Organization and the specialized agencies.

The Secretary-General, Trygve Lie of Norway, is the chief administrative officer of the United Nations. He and his staff provide secretariat services for the other principal organs, except the International Court of Justice, which has its own administrative body at The Hague known as the Registry.

The staff of the Secretariat may be regarded as an international civil service, resembling in many respects the permanent career service of a national government. Nationals of 54 countries, including citizens of 5 nonmember countries, are employed in the Secretariat. The staff numbers approximately 3,600 individuals, 3,000 of whom are employed in New York and the remainder in Geneva and in other field offices. The staff is comprised of persons with a wide variety of training and skills and includes political scientists, historians, economists, lawyers, journalists, mimeograph operators, translators, librarians, and secretaries, as well as general administrators. Knowledge of two languages is particularly important for many positions in the Secretariat.

The Secretariat differs in two important aspects from the career services of national governments. A unique characteristic of the Secretariat is that its staff is drawn from all over the world, speaks many different languages, and represents diverse cultures and customs. This basic characteristic creates problems which are not encountered in a national civil service whose staff is drawn from a fairly homogeneous group.

The second marked difference between the Secretariat and national administrations is the fact that staff members are bound by an oath of loyalty to a nonnational body. In the performance of their duties the Secretary-General and his staff are proscribed by the Charter from seeking or receiving instructions from any government or from any other authority external to the United Nations, and each Member has agreed to respect the exclusively international character of the responsibilities of the Secretary-General and his staff and not to seek to influence them in the discharge of their responsibilities.

The oath of loyalty to the United Nations is, of course, not inconsistent with an individual's loyalty to his own government. A member of the staff serves the highest interests of his own country best by faithfully working for the success of the United Nations. The efficiency and success of the Organization are hampered to the degree that the loyalty of an employee toward the United Nations is open to doubt, either on the part of other staff members or on the part of Member governments.

The development of an integrated Secretariat of the present stature in the short period of two years is an impressive accomplishment. The headquarters has moved twice and is now located in a factory, rapidly converted to office use and in many respects not well adapted for the purpose. Given this handicap and the added difficulties occasioned by the rapid recruitment of men and women of many nationalities, many of whom have experienced difficulty in adjusting themselves to unfamiliar living conditions in their new places of occupation, the Secretariat has had to contend with growing pains while having to perform as if mature already.

The Secretary-General is bound by the Charter to give paramount consideration in the recruitment of his staff to the highest standards of efficiency, competence, and integrity and at the same time to achieve wide geographic distribution.

Assurance in every case during the short history of the Secretariat of the high standards contemplated by the Charter is a formidable and patently impossible task. The Secretary-General is devoting his attention conscientiously to this problem. In 1947 he established a management survey and directed it to examine the operations of

the Secretariat with a view to making recommendations for internal improvements.

Assurance of broad geographic distribution in the Secretariat is also difficult. The need for rapid staffing militated against effective world-wide recruitment. An inevitable result of this situation is the large proportion of United States nationals in the Secretariat. Locally recruited personnel will always dominate the staff in the lower grades, whether in New York or in overseas offices. There are 19 grades in the classified service. United States nationals fill 92 percent of the positions in grades one to four and in the hourly employed group, holding 600 out of about 650 posts in these "non-internationally recruited" categories. At the other end of the scale United States nationals hold 65 out of 245 positions in grades sixteen and above, or 26 percent. The over-all percentage of United States personnel in the Secretariat excluding hourly paid workers is 52 percent. These proportions show a decrease over those for a year ago, and it is anticipated that the overseas recruitment program will operate even more effectively in the future.

These problems—the quality and geographic distribution of personnel in the Secretariat and the consideration given to them by the General Assembly—are referred to in the section on Administrative and Budgetary Problems above.

FUNCTIONS

The Secretariat has four major tasks. An undramatic but vital task is the servicing of meetings of the other principal organs (except the International Court of Justice) and of their many subsidiary bodies. In 1947 the Secretariat arranged for and serviced about 2,175 meetings for more than 100 United Nations bodies plus about 1,000 meetings in Geneva, where it maintains a branch office. Such service includes the provision of physical arrangements and of such technical services as translating and interpreting, preparing minutes of the meetings, and providing documentation. The Department of Conference and General Services produced 68,000,000 impressions of more than 6,000 documents for the recent session of the General Assembly, a 50-percent increase over the work load for this task a year previously. The Secretariat is also called upon to provide services and expert staff for the increasing number of operating commissions such as the Security Council's Commission of Good Offices in Indonesia, the Trusteeship Council's missions to trust territories, and bodies newly created by the General Assembly for Palestine, the Balkans, and Korea.

Preparation of studies and background material for meetings of the several organs and their subsidiary bodies is an increasingly impor-

tant function. These papers are circulated to Members in advance when practicable for the assistance of the representatives of governments in discussing the questions at issue. The General Assembly adopted a resolution at its recent session calling the attention of the three Councils and their commissions as well as the commissions appointed by the General Assembly itself to the desirability of utilizing to the utmost the services of the Secretariat. The General Assembly recommended particularly that the several organs of the United Nations consider carefully, before creating special commissions and subcommittees, whether the task to be carried out could not usefully be entrusted to the Secretariat. In another resolution the General Assembly requested the Secretary-General to assist the Economic and Social Council in its task of making periodic surveys of world economic developments by providing factual studies and analyses of economic conditions and trends.[29]

Thirdly, the Secretariat is the executive agent of the other principal organs. For example, the Secretary-General is charged by the General Assembly with negotiating an agreement with the United States Government in connection with a loan for the construction of the permanent headquarters in the city of New York. He is charged with making arrangements with the interested governments to facilitate the movement and operation of the Special Committee on the Balkans Question. In another field, he plays an important role in the development of arrangements with specialized agencies for the coordination of activities and administrative and financial practices.

Another major function is to give information concerning the purposes and daily activities of the United Nations. The Department of Public Information utilizes the services of the press, radio, and other mass media, prepares and distributes pamphlets and posters, and provides speakers and assistance for private groups here and abroad. Information centers are located in Washington, Prague, London, Warsaw, Geneva, Paris, Shanghai, Mexico City, Copenhagen, New Delhi, and Rio de Janeiro. New centers in Moscow and Cairo have been authorized, and three additional information centers are planned for 1948, one in Europe, one in South America, and one in Asia.

ORGANIZATION

The Secretary-General is assisted by nine Assistant Secretaries-General, each of whom is in charge of a major department in the Secretariat, with one exception. They are:

Department of Security Council Affairs, A. A. Sobolev (U.S.S.R.)
Department of Economic Affairs, David Owen (United Kingdom)

[29] For texts of resolutions, see appendix I, p. 187.

Department of Social Affairs, Henri Laugier (France)
Department of Trusteeship and Information from Non-Self-Governing Territories, Victor Hoo (China)
Department of Public Information, Benjamin Cohen (Chile)
Department of Conference and General Services, Adrian Pelt (Netherlands)
Department of Administrative and Financial Services, Byron Price (U.S.A.)
Legal Department, Ivan Kerno (Czechoslovakia)
Executive Office of the Secretary-General and General Coordination, Robert G. A. Jackson (Australia).

The post of the ninth Assistant Secretary-General was created shortly after the close of 1947, for coordination of program and policy in matters of concern to more than one department.

The Department of Conference and General Services, with approximately 1,500 employees, is the largest department. The Legal Department, with 50 employees, is the smallest. In addition to the staff in the New York headquarters, there are approximately 480 employees in the Geneva branch office and about 70 in the information centers throughout the world.

UNITED STATES INTEREST IN THE SECRETARIAT

The United States, as all other Members, has a vital interest in the proper development of the Secretariat as an effective principal organ of the United Nations. The Government is therefore concerned that qualified nationals be employed in the Secretariat. A United States national, one of the ranking members of the staff in the Trusteeship Department, has been selected to head the Secretariat staff for the Palestine Commission. Another is Executive Assistant to Mr. Lie. In addition others hold responsible positions. The Government, however, has not permitted its interest in the Secretariat to lead to meddling or interference. It has been scrupulous in its observance of article 100 of the Charter, in accordance with which each Member has undertaken to respect the exclusively international character of the responsibilities of the Secretary-General and not to seek to influence the Secretariat in the discharge of its duties. The Government observes this obligation not only because it is a Charter obligation and we expect other governments to act similarly but because we have taken the position from the beginning that, in the interest of good administration and efficiency, the Secretary-General must be unhampered in the carrying out of his responsibilities within the broad framework of the Charter and the directives from the General Assembly.

Part C

APPENDIXES

Appendix I

SELECTED RESOLUTIONS ADOPTED AT THE SECOND REGULAR SESSION OF THE GENERAL ASSEMBLY

1. Threats to the Political Independence and Territorial Integrity of Greece

[Taking account of the report of the Security Council Commission of Investigation with regard to the assistance rendered to the guerrillas in Greece by Albania, Bulgaria, and Yugoslavia, this resolution calls upon these three countries to do nothing which could assist the guerrillas. It also calls upon the three countries and Greece to cooperate in settling their disputes by peaceful means, through the reestablishment of friendly relations, the conclusion of frontier conventions, the settlement of refugee problems, and a study of the practicability of agreements for the voluntary transfer of minorities. A special committee of nine members, including the United States, is established to observe the compliance with the recommendations and to be available to assist the four Governments concerned in their implementation. Additional seats are left open for the Soviet Union and Poland. The Committee, which has its headquarters in Salonika, is authorized to recommend the convocation of a special session of the Assembly if necessary.

This resolution was adopted by a vote of 40 to 6, with 11 abstentions, on October 21.]

1. WHEREAS

The peoples of the United Nations have expressed in the Charter of the United Nations their determination to practise tolerance and to live together in peace with one another as good neighbours and to unite their strength to maintain international peace and security; and to that end the Members of the United Nations have obligated themselves to carry out the purposes and principles of the Charter,

2. The General Assembly of the United Nations,

HAVING CONSIDERED the record of the Security Council proceedings in connection with the complaint of the Greek Government of 3 December 1946, including the report submitted by the Commission of Investigation established by the Security Council resolution of 19 December 1946 and information supplied by the Subsidiary Group of the Commission of Investigation subsequent to the report of the Commission;

3. TAKING ACCOUNT of the report of the Commission of Investigation which found by a majority vote that Albania, Bulgaria and Yugoslavia had given assistance and support to the guerrillas fighting against the Greek Government;

4. *Calls upon* Albania, Bulgaria and Yugoslavia to do nothing which could furnish aid and assistance to the said guerrillas;

5. *Calls upon* Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other to co-operate in the settlement of their disputes by peaceful means, and to that end recommends:

(1) That they establish normal diplomatic and good neighbourly relations among themselves as soon as possible;

(2) That they establish frontier conventions providing for effective machinery for the regulation and control of their common frontiers and for the pacific settlement of frontier incidents and disputes;

(3) That they co-operate in the settlement of the problems arising out of the presence of refugees in the four States concerned through voluntary repatriation wherever possible and that they take effective measures to prevent the participation of such refugees in political or military activity;

(4) That they study the practicability of concluding agreements for the voluntary transfer of minorities.

6. *Establishes* a Special Committee:

(1) To observe the compliance by the four Governments concerned with the foregoing recommendations;

(2) To be available to assist the four Governments concerned in the implementation of such recommendations;

7. *Recommends* that the four Governments concerned co-operate with the Special Committee in enabling it to carry out these obligations;

8. *Authorizes* the Special Committee, if in its opinion further consideration of the subject matter of this resolution by the General Assembly prior to its next regular session is necessary for the maintenance of international peace and security, to recommend to the Members of the United Nations that a special session of the General Assembly be convoked as a matter of urgency;

9. *Decides* that the Special Committee

Shall consist of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States of America, seats being held open for Poland and the Union of Soviet Socialist Republics;

10. *Shall have* its principal headquarters in Salonika and with the co-operation of the four Governments concerned shall perform its

functions in such places and in the territories of the four States concerned as it may deem appropriate;

11. *Shall render* a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of this resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for transmission to the Members of the Organization; in any reports to the General Assembly the Special Committee may make such recommendations to the General Assembly as it deems fit;

12. *Shall determine* its own procedure, and may establish such subcommittees as it deems necessary;

13. *Shall commence* its work within thirty days after the final decision of the General Assembly on this resolution, and shall remain in existence pending a new decision of the General Assembly;

14. The General Assembly,

Requests the Secretary-General to assign to the Special Committee staff adequate to enable it to perform its duties, and to enter into a standing arrangement with each of the four Governments concerned to assure the Special Committee, so far as it may find it necessary to exercise its functions within their territories, of full freedom of movement and all necessary facilities for the performance of its functions.

2. The Problem of the Independence of Korea

[Two resolutions on this subject were adopted by the Assembly. In the first, the Assembly resolves that elected representatives of the Korean people should be invited to take part in the consideration of the question of Korean independence and that, in order to facilitate such participation and to observe that these representatives are in fact duly elected by the Korean people, a United Nations Temporary Commission on Korea should be present in the country with the right to travel, observe, and consult throughout Korea. The second resolution establishes a nine-member commission (not including the United States or the U.S.S.R.); recommends that elections be held not later than March 31, 1948, to choose representatives with whom the commission may consult regarding Korean independence, the representatives to constitute a national assembly and to establish a national government; and further recommends that that government thereafter constitute its own security forces, take over the functions of government, and arrange for the withdrawal of the armed forces of the occupying powers as early as practicable and if possible within 90 days. The Korean commission may consult with the Interim Committee of the Assembly with regard to the application of this resolution. Member states are called upon to assist the commission and to refrain from interference in the affairs of the Korean people except in pursuance of the General Assembly's decision. The Ukrainian S.S.R., which is named as a member of the Korean commission, has stated that it will not participate.

Both resolutions were adopted by the General Assembly on November 14, by a vote of 43 to 0, with 6 abstentions.]

I

INASMUCH AS the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and

RECOGNIZING that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population;

The General Assembly

1. *Resolves* that elected representatives of the Korean people be invited to take part in the consideration of the question;

2. *Further resolves* that in order to facilitate and expedite such participation and to observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea, there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea, with right to travel, observe and consult throughout Korea.

II

The General Assembly,

RECOGNIZING the urgent and rightful claims to independence of the people of Korea;

BELIEVING that the national independence of Korea should be reestablished and all occupying forces then withdrawn at the earliest practicable date;

RECALLING its previous conclusion that the freedom and independence of the Korean people cannot be correctly or fairly resolved without the participation of representatives of the Korean people, and its decision to establish a United Nations Temporary Commission on Korea (hereinafter called the "Commission") for the purpose of facilitating and expediting such participation by elected representatives of the Korean people:

1. *Decides* that the Commission shall consist of representatives of Australia, Canada, China, El Salvador, France, India, Philippines, Syria, Ukrainian Soviet Socialist Republic;

2. *Recommends* that the elections be held not later than 31 March 1948 on the basis of adult suffrage and by secret ballot to choose representatives with whom the Commission may consult regarding the prompt attainment of the freedom and independence of the Korean people and which representatives, constituting a National Assembly, may establish a National Government of Korea. The number of representatives from each voting area or zone should be proportionate to the population, and the elections should be under the observation of the Commission;

3. *Further recommends* that as soon as possible after the elections, the National Assembly should convene and form a National Government and notify the Commission of its formation;

4. *Further recommends* that immediately upon the establishment of a National Government, that Government should, in consultation with the Commission: (*a*) constitute its own national security forces and dissolve all military or semi-military formations not included therein, (*b*) take over the functions of government from the military commands and civilian authorities of north and south Korea, and (*c*) arrange with the occupying Powers for the complete withdrawal from Korea of their armed forces as early as practicable and if possible within ninety days;

5. *Resolves* that the Commission shall facilitate and expedite the fulfilment of the foregoing programme for the attainment of the national independence of Korea and withdrawal of occupying forces, taking into account its observations and consultations in Korea. The Commission shall report, with its conclusions, to the General Assembly and may consult with the Interim Committee with respect to the application of this resolution in the light of developments;

6. *Calls upon* the Member States concerned to afford every assistance and facility to the Commission in the fulfilment of its responsibilities;

7. *Calls upon* all Members of the United Nations to refrain from interfering in the affairs of the Korean people during the interim period preparatory to the establishment of Korean independence, except in pursuance of the decisions of the General Assembly; and thereafter, to refrain completely from any and all acts derogatory to the independence and sovereignty of Korea.

3. Establishment of an Interim Committee of the General Assembly

[In this resolution the Assembly establishes an Interim Committee on which each member of the Assembly has the right to appoint one representative, the Committee to function until the opening of the next regular session of the Assembly. The Interim Committee, as a subsidiary organ of the Assembly, is to assist it by considering and reporting on matters referred to the Committee by the Assembly and on disputes or situations placed on the agenda of the Assembly by a Member state, if a two-thirds majority of the Committee approves, or by the Security Council. The Interim Committee is also authorized to report to the Assembly on how the general principles of cooperation in the maintenance of peace and security and cooperation in the political field shall be implemented; to recommend the summoning of special sessions of the Assembly if required; and, within the scope of its jurisdiction, to appoint commissions of inquiry, by a two-thirds majority, provided that no inquiry shall be made away from the headquarters of the United Nations without the consent of the

state or states in whose territory it is to take place. The Interim Committee is directed at all times to take into account the responsibilities of the Security Council under the Charter as well as the duties assigned to other councils or to any committees or commissions. The Committee may not consider any matter of which the Security Council is seized.

This resolution was adopted on November 13, by a vote of 41 to 6, with 6 abstentions.]

The General Assembly.

CONSCIOUS of the responsibility specifically conferred upon it by the Charter in relation to matters concerning the maintenance of international peace and security (Articles 11 and 35), the promotion of international co-operation in the political field (Article 13) and the peaceful adjustment of any situations likely to impair the general welfare or friendly relations among nations (Article 14);

DEEMING IT NECESSARY for the effective performance of these duties to establish an interim committee to consider such matters during the period between the closing of the present session and the opening of the next regular session of the General Assembly, and report with its conclusions to the General Assembly;

RECOGNIZING fully the primary responsibility of the Security Council for prompt and effective action for the maintenance of international peace and security (Article 24),

Resolves that

1. There shall be established, for the period between the closing of the present session and the opening of the next regular session of the General Assembly, an Interim Committee on which each Member of the General Assembly shall have the right to appoint one representative;

2. The Interim Committee, as a subsidiary organ of the General Assembly established in accordance with Article 22 of the Charter, shall assist the General Assembly in the performance of its functions by discharging the following duties:

(*a*) To consider and report, with its conclusions, to the General Assembly on such matters as have been referred to it by the General Assembly;

(*b*) To consider and report with its conclusions to the General Assembly on any dispute or any situation which, in virtue of Articles 11 (paragraph 2), 14 or 35 of the Charter, has been proposed for inclusion in the agenda of the General Assembly by any Member of the United Nations or brought before the General Assembly by the Security Council, provided the Committee previously determines the matter to be both important and requiring preliminary study. Such determination shall be made by a majority of two-thirds of the members present and voting, unless the matter is one referred by the Se-

curity Council under Article 11 (paragraph 2), in which case a simple majority will suffice;

(*c*) To consider, as it deems useful and advisable, and report with its conclusions to the General Assembly on methods to be adopted to give effect to that part of Article 11 (paragraph 1), which deals with the general principles of co-operation in the maintenance of international peace and security, and to that part of Article 13 (paragraph 1a), which deals with the promotion of international co-operation in the political field;

(*d*) To consider, in connexion with any matter under discussion by the Interim Committee, whether occasion may require the summoning of a special session of the General Assembly and, if it deems that such session is required, so to advise the Secretary-General in order that he may obtain the views of the Members of the United Nations thereon;

(*e*) To conduct investigations and appoint commissions of enquiry within the scope of its duties, as it may deem useful and necessary, provided that decisions to conduct such investigations or enquiries shall be made by a two-thirds majority of the members present and voting. An investigation or enquiry elsewhere than at the headquarters of the United Nations shall not be conducted without the consent of the State or States in whose territory it is to take place;

(*f*) To report to the next regular session of the General Assembly on the advisability of establishing a permanent committee of the General Assembly to perform the duties of the Interim Committee as stated above with any changes considered desirable in the light of experience;

3. In discharging its duties the Interim Committee shall at all times take into account the responsibilities of the Security Council under the Charter for the maintenance of international peace and security as well as the duties assigned by the Charter or by the General Assembly or by the Security Council to other Councils or to any committee or commission. The Interim Committee shall not consider any matter of which the Security Council is seized;

4. Subject to paragraphs 2 (*b*) and 2 (*e*) above, the rules of procedure of the General Assembly shall, so far as they are applicable, govern the proceedings of the Interim Committee and such sub-committees and commissions as it may set up. The Interim Committee shall, however, have authority to adopt such additional rules as it may deem necessary provided that they are not inconsistent with any of the rules of procedure of the General Assembly. The Interim Committee shall be convened by the Secretary-General not later than six weeks following the close of the second regular session of the General As-

sembly. It shall meet as and when it deems necessary for the conduct of its business;

5. The Secretary-General shall provide the necessary facilities and assign appropriate staff as required for the work of the Interim Committee, its sub-committees and commissions.

4. Measures To Be Taken Against Propaganda and the Inciters of a New War

[Recalling the Charter provisions which look toward the maintenance of peace and the promotion of respect for fundamental freedoms, including freedom of expression, this resolution condemns all forms of propaganda, wherever conducted, designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression. Each Member is requested to take appropriate steps, within its constitutional limits, to promote friendly relations among nations based on the purposes and principles of the Charter, by all available means of publicity and propaganda, and to encourage the dissemination of all information designed to give expression to the desire of all peoples for peace. The resolution was adopted unanimously on November 3.]

WHEREAS in the Charter of the United Nations the peoples express their determination to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to practice tolerance and live together in peace with one another as good neighbours; and

WHEREAS the Charter also calls for the promotion of universal respect for, and observance of, fundamental freedoms which include freedom of expression, all Members having pledged themselves in Article 56 to take joint and separate action for such observance of fundamental freedoms,

The General Assembly,

1. *Condemns* all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression.

2. *Requests* the Government of each Member to take appropriate steps within its constitutional limits:

(*a*) to promote, by all means of publicity and propaganda available to them, friendly relations among nations based upon the Purposes and Principles of the Charter;

(*b*) to encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace.

3. *Directs* that this resolution be communicated to the forthcoming Conference on Freedom of Information.

5. Study of the Problem of Voting in the Security Council

[The resolution adopted by the General Assembly requests the Interim Committee to consider this problem, to consult with any committee established by the Security Council for cooperation in this study, and to report, with its conclusions, by July 15, 1948. The Assembly also requested the permanent Members of the Security Council to consult together on the problem in order to secure agreement on measures to insure the efficient functioning of the Council. This resolution was adopted on November 21, by a vote of 38 to 6, with 11 abstentions.]

The General Assembly, in the exercise of its power to make recommendations relating to the powers and functions of any organs of the United Nations (Article 10 of the Charter):

Requests the Interim Committee of the General Assembly, in accordance with paragraph 2 (*a*) of the resolution of the General Assembly of 13 November 1947, establishing that Committee, to:

1. Consider the problem of voting in the Security Council, taking into account all proposals which have been or may be submitted by Members of the United Nations to the second session of the General Assembly or to the Interim Committee;

2. Consult with any committee which the Security Council may designate to co-operate with the Interim Committee in the study of the problem;

3. Report, with its conclusions, to the third session of the General Assembly, the report to be transmitted to the Secretary-General not later than 15 July 1948, and by the Secretary-General to the Member States and to the General Assembly;

Requests the permanent members of the Security Council to consult with one another on the problem of voting in the Security Council in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions.

6. Relations of Members of the United Nations With Spain

[On November 17, by a vote of 36 to 5, with 12 abstentions, the Assembly expressed its confidence that the Security Council would exercise its responsibilities under the Charter as soon as it considered that the situation in regard to Spain so required.]

WHEREAS the Secretary-General in his annual report has informed the General Assembly of the steps taken by the States Members of the Organization in pursuance of its recommendations of 12 December 1946:

The General Assembly,

Expresses its confidence that the Security Council will exercise its responsibilities under the Charter as soon as it considers that the situation in regard to Spain so requires.

7. Future Government of Palestine

[This resolution provides for the partition of Palestine into independent Arab and Jewish states and the City of Jerusalem, these entities to come into existence not later than October 1, 1948. Jerusalem is to be placed under a special international regime and is to be administered by the Trusteeship Council on behalf of the United Nations. The plan also provides for the economic union of all of Palestine. The administration of Palestine, as the mandatory power withdraws its armed forces, is to be progressively turned over to a commission of five members which, under the guidance of the Security Council, is to act in conformity with the recommendations of the General Assembly. The commission is to select and establish in each state as rapidly as possible a Provisional Council of Government which, acting under the commission, is to have full authority in the areas under its control. Express provisions are included in the plan for the safeguarding of the Holy Places and the protection of religious and minority rights. The United Kingdom, as the mandatory power for Palestine, and all other Members of the United Nations are asked to adopt and implement the plan.

The resolution and plan were adopted by the General Assembly on November 29, by a vote of 33 to 13, with 10 abstentions. The map which follows was prepared in the Department of State and has been added for general information.]

The General Assembly,

HAVING MET in special session at the request of the Mandatory Power to constitute and instruct a Special Committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

HAVING CONSTITUTED a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem; and

HAVING RECEIVED AND EXAMINED the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee;

Considers that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

Takes note of the declaration by the Mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

Recommends to the United Kingdom, as the Mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of

10881 Map Branch, CIA, 12-47 U. S. GPO—S

Palestine, of the Plan of Partition with Economic Union set out below;

Requests that

(*a*) The Security Council take the necessary measures as provided for in the Plan for its implementation;

(*b*) The Security Council consider if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

(*c*) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;

(*d*) The Trusteeship Council be informed of the responsibilities envisaged for it in this Plan;

Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this Plan into effect;

Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations; and

Authorizes the Secretary-General to reimburse travel and subsistence expenses of the members of the Commission referred to in Part I, Section B, paragraph 1 below on such basis and in such form as he may determine most appropriate in the circumstances, and to provide to the Commission the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly.

Plan of Partition with Economic Union

Part I. Future Constitution and Government of Palestine

A. TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.

2. The armed forces of the Mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948.

The Mandatory Power shall advise the Commission, as far in advance as possible, of its intention to terminate the Mandate and to evacuate each area.

The Mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in Part III of this Plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the Mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be as described in Parts II and III below.

4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected by the General Assembly on as broad a basis, geographically and otherwise, as possible.

2. The administration of Palestine shall, as the Mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The Mandatory Power shall to the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated.

In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The Mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem in accordance with the general lines of the recommendations of the General Assembly on the partition of Palestine. Nevertheless, the boundaries as described in Part II of this Plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.

4. The Commission, after consultation with the democratic parties

and other public organizations of the Arab and Jewish States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations.

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.

6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the States' independence.

7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.

8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.

This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia's High Command, shall be exercised by the Commission.

9. The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the Mandatory Power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.

The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are: (*a*) Palestinian citizens residing in that State and (*b*) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively.

Women may vote and be elected to the Constituent Assemblies.

During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

10. The Constituent Assembly of each State shall draft a democratic Constitution for its State and choose a provisional government to succeed the Provisional Council of Government appointed by the Commission. The Constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in Section C below and include *inter alia* provisions for:

(*a*) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature.

(*b*) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered.

(*c*) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

(*d*) Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association.

(*e*) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, provided that each State shall control residence within its borders.

11. The Commission shall appoint a Preparatory Economic Commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in Section D below.

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the Mandatory Power in Palestine shall maintain full responsibility for administration in areas from which

it has not withdrawn its armed forces. The Commission shall assist the Mandatory Power in the carrying out of these functions. Similarly the Mandatory Power shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that, on the withdrawal of the armed forces of the Mandatory Power, the whole administration shall be in the charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a progressive transfer, from the Mandatory Power to the Commission, of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the Mandatory Power have been withdrawn.

14. The Commission shall be guided in its activities by the recommendations of the General Assembly and by such instructions as the Security Council may consider necessary to issue.

The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council.

The Commission shall render periodic monthly progress reports, or more frequently if desirable, to the Security Council.

15. The Commission shall make its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

C. DECLARATION

1. A Declaration shall be made to the United Nations by the Provisional Government of each proposed State before independence. It shall contain *inter alia* the following clauses:

General Provision

The stipulations contained in the Declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Chapter 1. *Holy Places, Religious Buildings and Sites*

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. In so far as Holy Places are concerned, the liberty of access, visit and transit shall be guaranteed, in conformity with existing rights, to all residents and citizens of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum.

Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government may call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community with respect to such Places, buildings and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

Chapter 2. ***Religious and Minority Rights***

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.

2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.

3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.

4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths

or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.[1]

8. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State) [2] shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

Chapter 3. *Citizenship, International Conventions and Financial Obligations*

1. CITIZENSHIP

Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt within one year from the date of recognition of independence of the State in which they reside for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jew residing in the proposed Jewish State shall have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting.

Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that

[1] The following stipulation shall be added to the Declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration."

[2] In the Declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words "by a Jew in the Arab State."

State, but not in the elections to the Constituent Assembly of the State in which they reside.

2. INTERNATIONAL CONVENTIONS

(*a*) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

(*b*) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the Mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. FINANCIAL OBLIGATIONS

(*a*) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the Mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

(*b*) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole, and individually in respect of those applicable to, and fairly apportionable between, the States.

(*c*) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the State respecting claims not recognized by the latter should be referred to that Court.

(*d*) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession-holder and the State.

Chapter 4. ***Miscellaneous Provisions***

1. The provisions of chapters 1 and 2 of the Declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.

2. Any dispute relating to the application or the interpretation of

this Declaration shall be referred, at the request of either Party to the International Court of Justice, unless the Parties agree to another mode of settlement.

D. ECONOMIC UNION AND TRANSIT

1. The Provisional Council of Government of each State shall enter into an Undertaking with respect to Economic Union and Transit. This Undertaking shall be drafted by the Commission provided for in Section B, paragraph 1, utilizing to the greatest possible extent the advice and co-operation of representative organizations and bodies from each of the proposed States. It shall contain provisions to establish the Economic Union of Palestine and provide for other matters of common interest. If by 1 April 1948 the Provisional Councils of Government have not entered into the Undertaking, the Undertaking shall be put into force by the Commission.

The Economic Union of Palestine

2. The objectives of the Economic Union of Palestine shall be:

(*a*) A customs union.

(*b*) A joint currency system providing for a single foreign exchange rate.

(*c*) Operation in the common interest on a non-discriminatory basis of railways, interstate highways, postal, telephone and telegraphic services, and ports and airports involved in international trade and commerce.

(*d*) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation.

(*e*) Access for both States and for the City of Jerusalem on a non-discriminatory basis to water and power facilities.

3. There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The foreign members shall be appointed in the first instance for a term of three years; they shall serve as individuals and not as representatives of States.

4. The functions of the Joint Economic Board shall be to implement either directly or by delegation the measures necessary to realize the objectives of the Economic Union. It shall have all powers of organization and administration necessary to fulfil its functions.

5. The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.

6. In the event of failure of a State to take the necessary action the Board may, by a vote of six members, decide to withhold an appro-

priate portion of that part of the customs revenue to which the State in question is entitled under the Economic Union. Should the State persist in its failure to co-operate, the Board may decide by a simple majority vote upon such further sanctions, including disposition of funds which it has withheld, as it may deem appropriate.

7. In relation to economic development, the functions of the Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem, in the event that Jerusalem is directly involved in the development project.

8. In regard to the joint currency system the currencies circulating in the two States and the City of Jerusalem shall be issued under the authority of the Joint Economic Board, which shall be the sole issuing authority and which shall determine the reserves to be held against such currencies.

9. So far as is consistent with 2 (*b*) above, each State may operate its own central bank, control its own fiscal and credit policy, its foreign exchange receipts and expenditures, the grant of import licenses, and may conduct international financial operations on its own faith and credit. During the first two years after the termination of the Mandate, the Joint Economic Board shall have the authority to take such measures as may be necessary to ensure that, to the extent that the total foreign exchange revenues of the two States from the export of goods and services permit, and provided that each State takes appropriate measures to conserve its own foreign exchange resources, each State shall have available, in any twelve months' period, foreign exchange sufficient to assure the supply of quantities of imported goods and services for consumption in its territory equivalent to the quantities of such goods and services consumed in that territory in the twelve months' period ending 31 December 1947.

10. All economic authority not specifically vested in the Joint Economic Board is reserved to each State.

11. There shall be a common customs tariff with complete freedom of trade between the States, and between the States and the City of Jerusalem.

12. The tariff schedules shall be drawn up by a Tariff Commission, consisting of representatives of each of the States in equal numbers, and shall be submitted to the Joint Economic Board for approval by a majority vote. In case of disagreement in the Tariff Commission, the Joint Economic Board shall arbitrate the points of difference. In the event that the Tariff Commission fails to draw up any schedule by a date to be fixed, the Joint Economic Board shall determine the tariff schedule.

13. The following items shall be a first charge on the customs and other common revenue of the Joint Economic Board:

(*a*) The expenses of the customs service and of the operation of the joint services;

(*b*) The administrative expenses of the Joint Economic Board;

(*c*) The financial obligations of the Administration of Palestine consisting of:

(i) The service of the outstanding public debt;

(ii) The cost of superannuation benefits, now being paid or falling due in the future, in accordance with the rules and to the extent established by paragraph 3 of Chapter 3 above.

14. After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than five per cent and not more than ten per cent to the City of Jerusalem; the residue shall be allocated to each State by the Joint Economic Board equitably, with the objective of maintaining a sufficient and suitable level of government and social services in each State, except that the share of either State shall not exceed the amount of that State's contribution to the revenues of the Economic Union by more than approximately four million pounds in any year. The amount granted may be adjusted by the Board according to the price level in relation to the prices prevailing at the time of the establishment of the Union. After five years, the principles of the distribution of the joint revenues may be revised by the Joint Economic Board on a basis of equity.

15. All international conventions and treaties affecting customs tariff rates and those communications services under the jurisdiction of the Joint Economic Board shall be entered into by both States. In these matters, the two States shall be bound to act in accordance with the majority vote of the Joint Economic Board.

16. The Joint Economic Board shall endeavour to secure for Palestine's exports fair and equal access to world markets.

17. All enterprises operated by the Joint Economic Board shall pay fair wages on a uniform basis.

Freedom of Transit and Visit

18. The Undertaking shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations; provided that each State and the City shall control residence within their borders.

Termination, Modification and Interpretation of the Undertaking

19. The Undertaking and any treaty issuing therefrom shall remain in force for a period of ten years. It shall continue in force until

notice of termination, to take effect two years thereafter, is given by either of the Parties.

20. During the initial ten-year period, the Undertaking and any treaty issuing therefrom may not be modified except by consent of both Parties and with the approval of the General Assembly.

21. Any dispute relating to the application or the interpretation of the Undertaking and any treaty issuing therefrom shall be referred, at the request of either Party, to the International Court of Justice, unless the Parties agree to another mode of settlement.

E. ASSETS

1. The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Allocations should be made by the United Nations Commission referred to in Section B, paragraph 1, above. Immovable assets shall become the property of the Government of the territory in which they are situated.

2. During the period between the appointment of the United Nations Commission and the termination of the Mandate, the Mandatory Power shall, except in respect of ordinary operations, consult with the Commission on any measure which it may contemplate involving the liquidation, disposal or encumbering of the assets of the Palestine Government, such as the accumulated treasury surplus, the proceeds of Government bond issues, State lands or any other asset.

F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

When the independence of either the Arab or the Jewish State as envisaged in this Plan has become effective and the Declaration and Undertaking, as envisaged in this Plan, have been signed by either of them, sympathetic consideration should be given to its application for admission to membership in the United Nations in accordance with Article 4 of the Charter of the United Nations.

Part II. Boundaries [3]

THE ARAB STATE

The area of the Arab State in Western Galilee is bounded on the west by the Mediterranean and on the north by the frontier of the Lebanon from Ras en Naqura to a point north of Saliha. From there the boundary proceeds southwards, leaving the built-up area of Saliha in the Arab State, to join the southernmost point of this village.

[3] The boundary lines described in Part II are indicated in Annex A. The base map used in marking and describing this boundary is "Palestine 1:250,000" published by the Survey of Palestine, 1946. Annexes A and B not printed; see map p. 165.]

Thence it follows the western boundary line of the villages of 'Alma, Rihaniya and Teitaba, thence following the northern boundary line of Meirun village to join the Acre-Safad sub-district boundary line. It follows this line to a point west of Es Sammu'i village and joins it again at the northernmost point of Farradiya. Thence it follows the sub-district boundary line to the Acre-Safad main road. From here it follows the western boundary of Kafr I'nan village until it reaches the Tiberias-Acre sub-district boundary line, passing to the west of the junction of the Acre–Safad and Lubiya–Kafr I'nan roads. From the southwest corner of Kafr I'nan village the boundary line follows the western boundary of the Tiberias sub-district to a point close to the boundary line between the villages of Maghar and Eilabun, thence bulging out to the west to include as much of the eastern part of the plain of Battuf as is necessary for the reservoir proposed by the Jewish Agency for the irrigation of lands to the south and east.

The boundary rejoins the Tiberias sub-district boundary at a point on the Nazareth-Tiberias road southeast of the built-up area of Tur'an; thence it runs southwards at first following the sub-district boundary and then passing between the Kadoorie Agricultural School and Mt. Tabor, to a point due south at the base of Mt. Tabor. From here it runs due west, parallel to the horizontal grid line 230, to the northeast corner of the village lands of Tel Adashim. It then runs to the northwest corner of these lands, whence it turns south and west so as to include in the Arab State the sources of the Nazareth water supply in Yafa village. On reaching Ginneiger it follows the eastern, northern and western boundaries of the lands of this village to their southwest corner, whence it proceeds in a straight line to a point on the Haifa-Afula railway on the boundary between the villages of Sarid and El Mujeidil. This is the point of intersection.

The southwestern boundary of the area of the Arab State in Galilee takes a line from this point, passing northwards along the eastern boundaries of Sarid and Gevat to the northeastern corner of Nahalal, proceeding thence across the land of Kefar ha Horesh to a central point on the southern boundary of the village of 'Ilut, thence westwards along that village boundary to the eastern boundary of Beit Lahm, thence northwards and northeastwards along its western boundary to the northeastern corner of Waldheim and thence northwestwards across the village lands of Shafa 'Amr to the southeastern corner of Ramat Yohanan. From here it runs due north-northeast to a point on the Shafa 'Amr–Haifa road, west of its junction with the road to I'Billin. From there it proceeds northeast to a point on the southern boundary of I'Billin situated to the west of the I'Billin-Birwa road. Thence along that boundary to its westernmost point, whence it turns to the north, follows across the village land of Tamra

to the northwesternmost corner and along the western boundary of Julis until it reaches the Acre-Safad road. It then runs westwards along the southern side of the Safad-Acre road to the Galilee-Haifa District boundary, from which point it follows that boundary to the sea.

The boundary of the hill country of Samaria and Judea starts on the Jordan River at the Wadi Malih southeast of Beisan and runs due west to meet the Beisan-Jericho road and then follows the western side of that road in a northwesterly direction to the junction of the boundaries of the sub-districts of Beisan, Nablus, and Jenin. From that point it follows the Nablus-Jenin sub-district boundary westwards for a distance of about three kilometres and then turns northwestwards, passing to the east of the built-up areas of the villages of Jalbun and Faqqu'a, to the boundary of the sub-districts of Jenin and Beisan at a point northeast of Nuris. Thence it proceeds first northwestwards to a point due north of the built-up area of Zir'in and then westwards to the Afula-Jenin railway, thence northwestwards along the district boundary line to the point of intersection on the Hejaz railway. From here the boundary runs southwestwards, including the built-up area and some of the land of the village of Kh. Lid in the Arab State to cross the Haifa-Jenin road at a point on the district boundary between Haifa and Samaria west of El Mansi. It follows this boundary to the southernmost point of the village of El Buteimat. From here it follows the northern and eastern boundaries of the village of Ar'ara, rejoining the Haifa-Samaria district boundary at Wadi'Ara, and thence proceeding south-southwestwards in an approximately straight line joining up with the western boundary of Qaqun to a point east of the railway line on the eastern boundary of Qaqun village. From here it runs along the railway line some distance to the east of it to a point just east of the Tulkarm railway station. Thence the boundary follows a line half-way between the railway and the Tulkarm-Qalqiliya-Jaljuliya and Ras el Ein road to a point just east of Ras el Ein station, whence it proceeds along the railway some distance to the east of it to the point on the railway line south of the junction of the Haifa-Lydda and Beit Nabala lines, whence it proceeds along the southern border of Lydda airport to its southwest corner, thence in a southwesterly direction to a point just west of the built-up area of Sarafand el 'Amar, whence it turns south passing just to the west of the built-up area of Abu el Fadil to the northeast corner of the lands of Beer Ya'Aqov. (The boundary line should be so demarcated as to allow direct access from the Arab State to the airport.) Thence the boundary line follows the western and southern boundaries of Ramle village, to the northeast corner of El

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Na'ana village, thence in a straight line to the southernmost point of El Barriya, along the eastern boundary of that village and the southern boundary of 'Innaba village. Thence it turns north to follow the southern side of the Jaffa-Jerusalem road until El Qubab, whence it follows the road to the boundary of Abu Shusha. It runs along the eastern boundaries of Abu Shusha, Seidun, Hulda to the southernmost point of Hulda, thence westwards in a straight line to the northeastern corner of Umm Kalkha, thence following the northern boundaries of Umm Kalkha, Qazaza and the northern and western boundaries of Mukhezin to the Gaza District boundary and thence runs across the village lands of El Mismiya El Kabira and Yasur to the southern point of intersection, which is midway between the built-up areas of Yasur and Batani Sharqi.

From the southern point of intersection the boundary lines run northwestwards between the villages of Gan Yavne and Barqa to the sea at a point half way between Nabi Yunis and Minat el Qila, and southeastwards to a point west of Qastina, whence it turns in a southwesterly direction, passing to the east of the built-up areas of Es Sawafir Esh Sharqiya and Ibdis. From the southeast corner of Ibdis village it runs to a point southwest of the built-up area of Beit 'Affa, crossing the Hebron–El Majdal road just to the west of the built-up area of Iraq Suweidan. Thence it proceeds southwards along the western village boundary of El Faluja to the Beersheba sub-district boundary. It then runs across the tribal lands of 'Arab el Jubarat to a point on the boundary between the sub-districts of Beersheba and Hebron north of Kh. Khuweilifa, whence it proceeds in a southwesterly direction to a point on the Beersheba-Gaza main road 2 kilometres to the northwest of the town. It then turns southeastwards to reach Wadi Sab' at a point situated 1 kilometre to the west of it. From here it turns northeastwards and proceeds along Wadi Sab' and along the Beersheba-Hebron road for a distance of 1 kilometre, whence it turns eastwards and runs in a straight line to Kh. Kuseifa to join the Beersheba-Hebron sub-district boundary. It then follows the Hebron-Beersheba boundary eastwards to a point north of Ras Ez Zuweira, only departing from it so as to cut across the base of the indentation between vertical grid lines 150 and 160.

About five kilometres northeast of Ras Ez Zuweira it turns north, excluding from the Arab State a strip along the coast of the Dead Sea not more than 7 kilometres in depth, as far as Ein Geddi, whence it turns due east to join the Trans-Jordan frontier in the Dead Sea.

The northern boundary of the Arab section of the coastal plain runs from a point between Minat el Qila and Nabi Yunis, passing between the built-up areas of Gan Yavne and Barqa to the point of intersection. From here it turns southwestwards, running across the lands of Batani

Sharqi, along the eastern boundary of the lands of Beit Daras and across the lands of Julis, leaving the built-up areas of Batani Sharqi and Julis to the westwards, as far as the northwest corner of the lands of Beit Tima. Thence it runs east of El Jiya across the village lands of El Barbara along the eastern boundaries of the villages of Beit Jirja, Deir Suneid and Dimra. From the southeast corner of Dimra the boundary passes across the lands of Beit Hanun, leaving the Jewish lands of Nir-Am to the eastwards. From the southeast corner of Beit Hanun the line runs southwest to a point south of the parallel grid line 100, then turns northwest for two kilometres, turning again in a southwesterly direction and continuing in an almost straight line to the northwest corner of the village lands of Kirbet Ikhza'a. From there it follows the boundary line of this village to its southernmost point. It then runs in a southerly direction along the vertical grid line 90 to its junction with the horizontal grid line 70. It then turns southeastwards to Kh. El Ruheiba and then proceeds in a southerly direction to a point known as El Baha, beyond which it crosses the Beersheba–El 'Auja main road to the west of Kh. el Mushrifa. From there it joins Wadi El Zaiyatin just to the west of El Subeita. From there it turns to the northeast and then to the southeast following this Wadi and passes to the east of 'Abda to join Wadi Nafkh. It then bulges to the southwest along Wadi Nafkh, Wadi Ajrim and Wadi Lassan to the point where Wadi Lassan crosses the Egyptian frontier.

The area of the Arab enclave of Jaffa consists of that part of the town-planning area of Jaffa which lies to the west of the Jewish quarters lying south of Tel-Aviv, to the west of the continuation of Herzl street up to its junction with the Jaffa-Jerusalem road, to the southwest of the section of the Jaffa-Jerusalem road lying southeast of that junction, to the west of Miqve Yisrael lands, to the northwest of Holon local council, to the north of the line linking up the northwest corner of Holon with the northeast corner of Bat Yam local council area and to the north of Bat Yam local council area. The question of Karton quarter will be decided by the Boundary Commission bearing in mind among other considerations the desirability of including the smallest possible number of its Arab inhabitants and the largest possible number of its Jewish inhabitants in the Jewish State.

THE JEWISH STATE

The northeastern sector of the Jewish State (Eastern Galilee) is bounded on the north and west by the Lebanese frontier and on the east by the frontiers of Syria and Trans-Jordan. It includes the whole of the Huleh Basin, Lake Tiberias, the whole of the Beisan sub-district, the boundary line being extended to the crest of the Gilboa mountains and the Wadi Malih. From there the Jewish State

extends northwest following the boundary described in respect of the Arab State.

The Jewish section of the coastal plain extends from a point between Minat el Qila and Nabi Yunis in the Gaza sub-district and includes the towns of Haifa and Tel-Aviv, leaving Jaffa as an enclave of the Arab State. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State.

The Beersheba area comprises the whole of the Beersheba sub-district, including the Negeb and the eastern part of the Gaza sub-district, but excluding the town of Beersheba and those areas described in respect of the Arab State. It includes also a strip of land along the Dead Sea stretching from the Hebron-Beersheba sub-district boundary line to Ein Geddi, as described in respect of the Arab State.

THE CITY OF JERUSALEM

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem.

Part III. City of Jerusalem

A. The City of Jerusalem shall be established as a *corpus separatum* under a Special International Regime and shall be administered by the United Nations. The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority on behalf of the United Nations.

B. The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern Bethlehem; the most western Ein Karim (including also the built-up area of Motsa) and the most northern Shu'fat, as indicated on the attached sketch-map (Annex B).

C. The Trusteeship Council shall within five months from the approval of the present plan elaborate and approve a detailed Statute of the City which shall contain *inter alia* the substance of the following provisions:

1. ***Government Machinery: Special Objectives***

The Administering Authority in discharging its administrative obligations shall pursue the following special objectives:

(*a*) To protect and to preserve the unique spiritual and religious interests located in the City of the three great monotheistic faiths throughout the world, Christian, Jewish and Moslem; to this end to ensure that order and peace, and especially religious peace, reign in Jerusalem.

(*b*) To foster co-operation among all the inhabitants of the City in their own interests as well as in order to encourage and support the

peaceful development of the mutual relations between the two Palestinian peoples throughout the Holy Land; to promote the security, well-being and any constructive measures of development of the residents, having regard to the special circumstances and customs of the various peoples and communities.

2. *Governor and Administrative Staff*

A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council and shall be responsible to it. He shall be selected on the basis of special qualifications and without regard to nationality. He shall not, however, be a citizen of either State in Palestine.

The Governor shall represent the United Nations in the City and shall exercise on their behalf all powers of administration including the conduct of external affairs. He shall be assisted by an administrative staff classed as international officers in the meaning of Article 100 of the Charter and chosen whenever practicable from the residents of the City and of the rest of Palestine on a non-discriminatory basis. A detailed plan for the organization of the administration of the City shall be submitted by the Governor to the Trusteeship Council and duly approved by it.

3. *Local Autonomy*

(*a*) The existing local autonomous units in the territory of the City (villages, townships and municipalities) shall enjoy wide powers of local government and administration.

(*b*) The Governor shall study and submit for the consideration and decision of the Trusteeship Council a plan for the establishment of special town units consisting, respectively, of the Jewish and Arab sections of new Jerusalem. The new town units shall continue to form part of the present municipality of Jerusalem.

4. *Security Measures*

(*a*) The City of Jerusalem shall be demilitarized, its neutrality shall be declared and preserved, and no para-military formations, exercises or activities shall be permitted within its borders.

(*b*) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

(*c*) To assist in the maintenance of internal law and order and especially for the protection of the Holy Places and religious buildings and sites in the City, the Governor shall organize a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The Governor shall be empowered to direct such

budgetary provision as may be necessary for the maintenance of this force.

5. *Legislative Organization*

A legislative council, elected by adult residents of the City irrespective of nationality on the basis of universal and secret suffrage and proportional representation, shall have powers of legislation and taxation. No legislative measures shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, nor shall any law, regulation, or official action prevail over them. The Statute shall grant to the Governor a right of vetoing the bills inconsistent with the provisions referred to in the preceding sentence. It shall also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the administration.

6. *Administration of Justice*

The Statute shall provide for the establishment of an independent judiciary system including a court of appeal. All the inhabitants of the City shall be subject to it.

7. *Economic Union and Economic Regime*

The City of Jerusalem shall be included in the Economic Union of Palestine and be bound by all stipulations of the undertaking and of any treaties issued therefrom, as well as by the decisions of the Joint Economic Board. The headquarters of the Economic Board shall be established in the territory of the City.

The Statute shall provide for the regulation of economic matters not falling within the regime of the Economic Union, on the basis of equal treatment and non-discrimination for all Members of the United Nations and their nationals.

8. *Freedom of Transit and Visit; Control of Residents*

Subject to considerations of security, and of economic welfare as determined by the Governor under the directions of the Trusteeship Council, freedom of entry into, and residence within, the borders of the City shall be guaranteed for the residents or citizens of the Arab and Jewish States. Immigration into, and residence within, the borders of the City for nationals of other States shall be controlled by the Governor under the directions of the Trusteeship Council.

9. *Relations With the Arab and Jewish States*

Representatives of the Arab and Jewish States shall be accredited to the Governor of the City and charged with the protection of the interests of their States and nationals in connection with the international administration of the City.

10. ***Official Languages***

Arabic and Hebrew shall be the official languages of the City. This will not preclude the adoption of one or more additional working languages, as may be required.

11. ***Citizenship***

All the residents shall become *ipso facto* citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens or, if Arabs or Jews, have filed the notice of intention to become citizens of the Arab or Jewish State respectively, according to Part I, section B, paragraph 9 of this Plan.

The Trusteeship Council shall make arrangements for Consular protection of the citizens of the City outside its territory.

12. ***Freedoms of Citizens***

1. Subject only to the requirements of public order and morals, the inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and press, assembly and association, and petition.

2. No discrimination of any kind shall be made between the inhabitants on the grounds of race, religion, language or sex.

3. All persons within the City shall be entitled to equal protection of the laws.

4. The family law and personal status of the various persons and communities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The City shall ensure adequate primary and secondary education for the Arab and Jewish community respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the City may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any inhabitant of the City of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

13. ***Holy Places***

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Governor that any particular Holy Place, religious building or site is in need of urgent repair, the Governor may call upon the community or communities concerned to carry out such repair. The Governor may carry it out himself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Places, religious building or site which was exempt from taxation on the date of the creation of the City. No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

14. ***Special Powers of the Governor in Respect of the Holy Places, Religious Buildings and Sites in the City and in Any Part of Palestine***

1. The protection of the Holy Places, religious buildings and sites located in the City of Jerusalem shall be a special concern of the Governor.

2. With relation to such Places, buildings and sites in Palestine outside the City, the Governor shall determine on the ground of powers granted to him by the Constitutions of both States whether the provisions of the Constitutions of the Arab and Jewish States in Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected.

3. The Governor shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community in respect of the Holy Places, religious buildings and sites in any part of Palestine.

In this task he may be assisted by a consultative council of representatives of different denominations acting in an advisory capacity.

D. DURATION OF THE SPECIAL REGIME

The Statute elaborated by the Trusteeship Council on the aforementioned principles shall come into force not later than 1 October

1948. It shall remain in force in the first instance for a period of ten years, unless the Trusteeship Council finds it necessary to undertake a re-examination of these provisions at an earlier date. After the expiration of this period the whole scheme shall be subject to re-examination by the Trusteeship Council in the light of the experience acquired with its functioning. The residents of the City shall be then free to express by means of a referendum their wishes as to possible modifications of the regime of the City.

Part IV. Capitulations

States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of Consular jurisdiction and protection as formerly enjoyed by capitulation or usage in the Ottoman Empire, are invited to renounce any right pertaining to them to the re-establishment of such privileges and immunities in the proposed Arab and Jewish States and the City of Jerusalem.

8. Reports on World Economic Conditions and Trends

[In this resolution the General Assembly recommends to the Economic and Social Council that it consider a survey of current world economic conditions and trends at least annually; that such consideration include an analysis of the major dislocations of needs and supplies in the world economy; and that the Council make recommendations as to the appropriate measures to be taken by the General Assembly, the Members of the United Nations, and the specialized agencies concerned. The Secretary-General is requested to assist the Council and its subsidiary organs by providing factual surveys and analyses of economic conditions and trends.

The General Assembly adopted this resolution unanimously on October 31.]

The General Assembly,

(1) *Notes with approval* that the Economic and Social Council has made arrangements for the initiation of regular reports to the Council on world economic conditions and trends;

(2) *Recommends* to the Council

(*a*) that it consider a survey of current world economic conditions and trends annually, and at such other intervals as it considers necessary, in the light of its responsibility under Article 55 of the Charter to promote the solution of international economic problems, higher standards of living, full employment, and conditions of economic and social progress and development;

(*b*) that such consideration include an analysis of the major dislocations of needs and supplies in the world economy;

(*c*) that it make recommendations as to the appropriate measures to be taken by the General Assembly, the Members of the United Nations, and the Specialized Agencies concerned;

(3) *Requests* the Secretary-General to assist the Council and its subsidiary organs by providing factual surveys and analyses of world economic conditions and trends.

9. Implementation of Economic and Social Recommendations

[In this resolution the General Assembly calls upon all Members of the United Nations to carry out all recommendations of the General Assembly on economic and social matters and recommends that the Secretary-General report annually to the Economic and Social Council, and that the latter report to the General Assembly, on steps taken by the Members to give effect to recommendations of the Economic and Social Council and to recommendations of the General Assembly on matters falling within the Council's competence.

The General Assembly adopted this resolution unanimously on October 31.]

The General Assembly,

(1) With a view to the creation of conditions of stability and well-being, to the promotion of social progress and better standards of life, taking account of the fact, well established by experience, that prosperity is indivisible and requires the co-operation of all Member States within the framework of the United Nations.

(2) *Calls* upon all Member States to carry out all recommendations of the General Assembly passed on economic and social matters.

(3) *Recommends*, furthermore, that in fulfilment of Article 64 of the Charter of the United Nations the Secretary-General report annually to the Economic and Social Council and that the latter report to the General Assembly on steps taken by the Member Governments to give effect to the recommendations of the Economic and Social Council as well as to the recommendations made by the General Assembly on matters falling within the Council's competence.

10. Study of Factors Bearing Upon Establishment of an Economic Commission for the Middle East

[In this resolution the General Assembly takes note of the resolution adopted by the Economic and Social Council requesting the Economic and Employment Commission to study the general problems connected with the establishment of regional commissions; takes note of the decision of the Economic and Social Council to establish an *ad hoc* committee for the purpose of studying the factors bearing upon the establishment of an Economic Commission for Latin America; and invites the Economic and Social Council to study the factors bearing upon the establishment of an Economic Commission for the Middle East.

The General Assembly adopted this resolution by a vote of 43 to 0, with 4 abstentions, on October 31.]

The General Assembly,

(1) CONSIDERING the interest of the United Nations in problems relating to the economic development of all under-developed regions;

(2) TAKING NOTE of the resolution adopted by the Economic and Social Council during its fifth session requesting the Economic and Employment Commission to study the general problems connected with the establishment of regional commissions as a means to promote the aims and purposes of the United Nations;

(3) TAKING NOTE with satisfaction of the decision by the Council at that session to establish an *ad hoc* committee for the purpose of studying the factors bearing upon the establishment of an Economic Commission for Latin America;

(4) TAKING NOTE of the general favorable reception given to the proposal for an Economic Commission for Latin American by the Second Committee;

(5) RECOGNIZING that co-operative measures among all the countries of the Middle East can be of practical assistance in raising both the level of economic activity and the standard of life in the Middle East and in strengthening the economic relations of these countries both among themselves and with other countries of the world, and that such measures would be facilitated by close co-operation with the United Nations and its subsidiary organs as well as with regional organizations in the Middle East such as the Arab League;

(6) *Invites* the Economic and Social Council to study the factors bearing upon the establishment of an Economic Commission for the Middle East.

11. Agreements With Specialized Agencies

[On November 15 the Assembly passed a resolution approving the agreements between the United Nations and the following specialized agencies: the World Health Organization, the Universal Postal Union, the International Telecommunication Union, the International Bank for Reconstruction and Development, and the International Monetary Fund. There was no opposition, but the Soviet Union abstained in the vote on the agreements with the Bank and the Fund.]

The General Assembly

Resolves to approve the agreements with the World Health Organization (A/348), the Universal Postal Union (A/347), the International Telecommunication Union (A/370 and A/370/Add.1), the International Bank for Reconstruction and Development (A/349) and the International Monetary Fund (A/349);

Approves the insertion in the agreements relating to the World Health Organization and the International Telecommunication Union of the article regarding the use of the *laissez-passer* of the United Nations (A/348/Add.2 and A/370/Add.1); and

Requests the Economic and Social Council to report on the action

taken in pursuance of these agreements as provided in the last paragraph of General Assembly resolution 50 (I) of 14 December 1946 so that the Council and the General Assembly may, if necessary, and after consultation with the said agencies, formulate suitable proposals for improving collaboration.

12. Relations With and Coordination of Specialized Agencies and Work Programs of the United Nations and Specialized Agencies

[By unanimous vote on November 20 the Assembly called upon Member States to take measures to insure on the national level a coordinated policy of their delegations to the United Nations and to the different specialized agencies, in order to achieve full cooperation among them; requested the Economic and Social Council to consider urgently the future steps which could be taken to develop effective coordination; called upon the specialized agencies under the terms of their agreements with the United Nations to present reports on their work programs to the Economic and Social Council and on their budgetary estimates to the Secretary-General; and requested the Secretary-General in consultation with the specialized agencies to study measures for improved budgetary coordination.]

HAVING EXAMINED the report of the Economic and Social Council, (document A/382) and the interim report of the Secretary-General on the budgetary and financial relationships between the United Nations and the specialized agencies (document A/394/Rev. 1);

HAVING HAD ITS ATTENTION DRAWN to the interim report of the Coordination Committee to the Economic and Social Council (document A/404), which deals with budgetary and financial relationships of the United Nations and the specialized agencies and related programme matters;

CONSIDERING that it is essential, in order to prevent overlapping of activities and duplication of effort, to develop more effective coordination in the economic and social fields among the organs and subsidiary organs of the United Nations, among the United Nations and the specialized agencies, and among the specialized agencies themselves, and to provide means for assessing the relative urgency and importance of projects;

CONSIDERING that it is desirable without detriment to essential activities to minimize the financial burden imposed upon Members by the activities of the United Nations and the specialized agencies; and

CONSIDERING that these results can most effectively be achieved by mutual application of the agreements between the United Nations and the specialized agencies, and development of the methods of co-operation foreseen in General Assembly resolutions 50 (I) and 81 (I):

The General Assembly therefore

1. *Calls upon* Members to take measures to ensure on the national level a co-ordinated policy of their delegations to the United Nations and the different specialized agencies in order that full co-operation may be achieved between the Organization and the specialized agencies, and, in particular, to instruct their representatives in the governing bodies of the specialized agencies to use every effort to ensure the transmittal of reports, programmes of operation, and budgets or budgetary estimates referred to in paragraph 3 of this resolution;

2. *Commends* the Economic and Social Council, the Secretary-General, and the specialized agencies for the steps already taken, including the establishment of a Co-ordination Committee, to achieve programme and administrative co-ordination among the specialized agencies and the United Nations; and requests the Council to give constant attention to the factor of the relative priority of proposals, and to consider as a matter of urgency the further steps which should be taken to develop effective co-ordination of the programmes of the United Nations and its subsidiary organs and the specialized agencies;

3. *Calls upon* the specialized agencies, as appropriate under the terms of their respective agreements with the United Nations:

(*a*) To present each year to the session of the Economic and Social Council preceding the opening of the regular session of the General Assembly their reports on past activities and their programmes of operations for the subsequent fiscal year to enable the Council to promote the most efficient and practical use of the resources of the United Nations and the specialized agencies, by recommendations concerning the definition of responsibility for specific projects and concerning priorities for action;

(*b*) To transmit their budgets or budgetary estimates for 1949 and for each year thereafter to the Secretary-General of the United Nations before 1 July of the preceding year in order that the Secretary-General may incorporate these budgets or budgetary estimates as information annexes in his annual budget estimates for transmittal to the General Assembly, together with such summaries as he may deem appropriate and useful;

4. *Requests* the Secretary-General, in consultation with the specialized agencies through the Co-ordination Committee and in consultation with the Advisory Committee on Administrative and Budgetary Questions, to prepare a report for submission to the Economic and Social Council and the third regular session of the General Assembly with recommendations concerning:

(*a*) Measures for achieving greater uniformity in presentation of

the budgets of the United Nations and of the specialized agencies with a view to providing a basis for comparison of the several budgets;

(*b*) The fiscal year and schedule of meetings of the specialized agencies in their relation to the procedures envisaged in paragraph 3 above;

(*c*) The feasibility of improved budgetary co-ordination between the United Nations and the specialized agencies; and

5. *Requests* the Secretary-General, in consultation with the specialized agencies through the Co-ordination Committee and where appropriate, the Advisory Committee, to promote the development of similar budgetary, administrative and financial practices in the United Nations and the specialized agencies.

13. False or Distorted Reports

[This resolution invites the Governments of Member states to study such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between states, and to submit reports on this subject to the Conference on Freedom of Information. The resolution also recommends that the Conference on Freedom of Information study, with a view to their coordination, the measures taken or advocated in this connection by the various states.

The General Assembly adopted this resolution unanimously on November 15.]

The General Assembly,

CONSIDERING that, under Article 1 of the Charter, Members are bound to develop friendly relations amongst themselves and to achieve international co-operation in promoting and encouraging respect for human rights and fundamental liberties,

CONSIDERING that to attain this end it is essential to facilitate and increase the diffusion in all countries of information calculated to strengthen mutual understanding and ensure friendly relations between the peoples,

CONSIDERING that substantial progress in this sphere can be achieved only if measures are taken to combat, within the limits of constitutional procedures, the publication of false or distorted reports likely to injure friendly relations between States:

Invites the Governments of States Members

(1) To study such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States;

(2) To submit reports on this subject to the Conference on Free-

dom of Information so as to provide the Conference with the data it requires to enable it to start its work immediately on a concrete basis.

Recommends to the Conference on Freedom of Information that it study, with a view to their co-ordination, the measures taken or advocated in this connection by the various States, as being relevant to the discussion of items 2(d) and 5(c) of section II of its provisional agenda.

14. Trade-Union Rights (Freedom of Association)

[On November 17, by a vote of 45 to 6, with 2 abstentions, the General Assembly adopted a resolution approving action taken by the Economic and Social Council and the International Labor Organization to formulate definitive principles in this field and endorsing the principles proclaimed by the International Labor Organization, in particular certain portions of the ILO's Declaration of Philadelphia which are quoted in an annex to the resolution. In the same resolution the Assembly recommended that the International Labor Organization pursue the study of the control of the application of trade-union rights and freedom of association.]

The General Assembly,

TAKING NOTE of resolution 52 (IV) adopted by the Economic and Social Council at its fourth session, whereby it was decided to transmit the views of the World Federation of Trade Unions and the American Federation of Labor on "Guarantees for the Exercise and Development of Trade Union Rights" to the Commission on Human Rights, "in order that it may consider those aspects of the subject which might appropriately form part of the bill or declaration on human rights",

TAKING NOTE also of resolution 84 (V) adopted by the Council at its fifth session, whereby it was decided to transmit to the General Assembly of the United Nations the report of the International Labour Organization entitled "Decisions concerning freedom of association adopted unanimously by the thirtieth session of the International Labour Conference on 11 July 1947", to recognize the principles proclaimed by the International Labour Conference and to request the International Labour Organization to continue its efforts in order that one or several international conventions may be adopted.

Approves these two resolutions;

Considers that the inalienable right of trade union freedom of association is, as well as other social safeguards, essential to the improvement of the standard of living of workers and to their economic well-being,

Declares that it endorses the principles proclaimed by the International Labour Conference in respect of trade union rights as well

as the principles the importance of which to labour has already been recognized and which are mentioned in the Constitution of the International Labour Organization and in the Declaration of Philadelphia, and in particular sub-section (*a*) of Section II, and sub-sections (*a*) to (*j*) inclusive of Section III, which are given in the Annex to this resolution;

Decides to transmit the report of the International Labour Organization to the Commission on Human Rights with the same objects as those stated in resolution 52 (IV) of the Economic and Social Council; and

Recommends to the International Labour Organization on its tripartite basis to pursue urgently, in collaboration with the United Nations and in conformity with the resolution of the International Labour Conference concerning international machinery for safeguarding trade union rights and freedom of association, the study of the control of their practical application.

Annex

(*a*) Full employment and the raising of standards of living;

(*b*) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being;

(*c*) The provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement;

(*d*) Policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection;

(*e*) The effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures;

(*f*) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care;

(*g*) Adequate protection for the life and health of workers in all occupations;

(*h*) Provision for child welfare and maternity protection;

(*i*) The provision of adequate nutrition, housing and facilities for recreation and culture;

(*j*) The assurance of equality of educational and vocational opportunities.

15. Conference on Freedom of Information

[This resolution, which was unanimously adopted by the General Assembly on November 17, takes note of the provisional agenda of the Conference on Freedom of Information and invites the attention of the Economic and Social Council to the discussion of freedom of expression and of the press in the Third Committee of the General Assembly.]

The General Assembly,

HAVING CONSIDERED that part of Chapter III of the report of the Economic and Social Council which deals with the convening of a Conference on freedom of information;

Takes note of the provisional agenda of the Conference and invites the attention of the Economic and Social Council to the discussion on this matter in the Third Committee of the General Assembly.

16. International Children's Emergency Fund

[On November 20 the Assembly adopted by acclamation a resolution expressing satisfaction with the work already accomplished by the Fund; drawing the attention of Member states to the need for financial support of the Fund; and recommending cooperation with the United Nations Appeal for Children.]

The General Assembly,

HAVING TAKEN NOTE of the reports of the Economic and Social Council and of the Executive Board of the International Children's Emergency Fund:

Expresses its satisfaction with the concrete work already accomplished by the Fund;

Approves the present report;

Draws the attention of the States Members to the significance of the International Children's Emergency Fund and to the need for supplying it immediately with funds to enable it to carry on its activities;

Associates itself with the United Nations Appeal for Children and recommends the people of all countries to co-operate toward the success of this appeal.

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17. International Cooperation for the Prevention of Immigration Which Is Likely To Disturb Friendly Relations Between Nations

[On November 17, by a vote of 49 to 0, with 4 abstentions, the Assembly adopted a resolution stressing the desirability of implementing its earlier resolutions on this subject; inviting Member states not to assist illegal immigration; and recommending that urgent measures be adopted to return repatriable refugees and displaced persons to their countries of origin as provided in an earlier resolution and for the settlement of a fair share of nonrepatriable refugees and displaced persons in each Member state.]

The General Assembly,

HAVING NOTED that its resolutions 8(I) of 12 February and 62(I) of 15 December 1946 on the question of refugees, and its resolution 103(I) of 19 November 1946 condemning racial and religious discrimination, have not been fully implemented, and that hundreds of thousands of victims of aggression remain in displaced persons camps;

RECALLING that one of the principles of the International Refugee Organization is that it "should exercise special care in cases in which the re-establishment or resettlement of refugees or displaced persons might be contemplated, either in countries contiguous to their respective countries of origin or in non-self-governing countries. The Organization should give due weight, among other factors, to any evidence of genuine apprehension and concern felt in regard to such plans, in the former case, by the country of origin of the persons involved, or, in the latter case, by the indigenous population of the non-self-governing country in question":

Invites the Member States to implement the General Assembly resolution of 19 November 1946;

Reaffirms its position that the main task concerning displaced persons is to encourage and assist in every possible way their early return to their countries of origin, in accordance with the General Assembly resolution of 12 February 1946, and that no obstacles be placed in the way of the early fulfilment of this task;

Invites the Member States not to accord aid and protection to individuals or organizations which are engaged in the promoting or operating of illegal immigration, or in activities designed to promote illegal immigration;

Recommends each Member of the United Nations to adopt urgent measures for the early return of the repatriable refugees and displaced persons to their countries of origin, having regard to the General Assembly resolution of 12 February 1946, and for settling a fair share of the non-repatriable refugees and displaced persons in its country; to inform the Secretary-General without delay of the results of the

consideration it has given, in implementation of resolution 62(I) of the General Assembly, paragraph (e), to receiving, in conformity with the principles of the International Refugee Organization, its fair share of non-repatriable persons; and to collaborate with other nations, for instance through the International Refugee Organization or its Preparatory Commission, in the development of overall plans to accomplish this end;

Requests the Secretary-General to submit, in collaboration with the Director-General of the International Refugee Organization, or the Executive Secretary of its Preparatory Commission, a report on the progress and prospect of repatriation, resettlement and immigration of the refugees and displaced persons, for consideration by the Economic and Social Council at its seventh session.

18. Teaching of the Purposes and Principles, the Structure and Activities of the United Nations in the Schools of Member States

[In this resolution the General Assembly recommends that all Member governments take measures at the earliest possible date to encourage the teaching of the purposes and principles, the structure and activities of the United Nations in their schools; invites the United Nations Educational, Scientific and Cultural Organization to assist Members, at their request, in the implementation of this program; and calls for appropriate reports by Members on the subject. The resolution was adopted unanimously on November 17.]

The General Assembly,

CONSIDERING that the knowlerge and understanding of the aims and activities of the United Nations are essential in promoting and assuring general interest and popular support of its work:

Recommends to all Member Governments that they take measures at the earliest possible date to encourage the teaching of the United Nations Charter and the purposes and principles, the structure, background and activities of the United Nations in the schools and institutes of higher learning of their countries, with particular emphasis on such instruction in elementary and secondary schools;

Invites the United Nations Educational, Scientific and Cultural Organization to assist Members of the United Nations, at their request, in the implementation of this programme, with the co-operation as required of the Secretary-General of the United Nations, and to report thereon to the Economic and Social Council;

Requests Member States to furnish the Secretary-General with information as to the measures which have been taken to implement this recommendation, such information to be presented in the form of a report to the Economic and Social Council by the Secretary-General in consultation with, and with the assistance of UNESCO.

19. Question of South West Africa

[Recalling its resolution of December 14, 1946, recommending that the Mandated Territory of South West Africa be placed under trusteeship, and noting the decision of South Africa to preserve the *status quo* in that territory the Assembly maintained its recommendation that the territory be placed under trusteeship, urged the Union Government to propose such a trusteeship agreement and expressed the hope that the Union Government might do so before the Third Session of the General Assembly. The Trusteeship Council was authorized to examine the report on South West Africa transmitted by the Union.

This resolution was adopted by a vote of 41 to 10, with 4 abstentions, on November 1.]

WHEREAS, in its resolution dated 9 February 1946, the General Assembly invited all States administering territories then held under mandate to submit Trusteeship agreements for approval;

WHEREAS, in its resolution dated 14 December 1946, the General Assembly recommended, for reasons given therein, that the mandated territory of South West Africa be placed under the International Trusteeship System and invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a Trusteeship agreement for the aforesaid territory;

WHEREAS the Government of the Union of South Africa has not carried out the aforesaid recommendations of the United Nations;

WHEREAS it is a fact that all other States administering territories previously held under mandate have placed these territories under the Trusteeship System or offered them independence;

WHEREAS the Government of the Union of South Africa in a letter of 23 July 1947 informed the United Nations that it has decided not to proceed with the incorporation of South West Africa in the Union but to maintain the *status quo* and to continue to administer the territory in the spirit of the existing mandate, and that the Union Government has undertaken to submit reports on its administration for the information of the United Nations:

The General Assembly, therefore,

Takes note of the decision of the Government of the Union of South Africa not to proceed with the incorporation of South West Africa;

Firmly maintains its recommendation that South West Africa be placed under the Trusteeship System;

Urges the Government of the Union of South Africa to propose for the consideration of the General Assembly a Trusteeship agreement for the territory of South West Africa and expresses the hope that the Union Government may find it possible to do so in time to enable the General Assembly to consider the agreement at its third session.

Authorizes the Trusteeship Council in the meantime to examine the report on South West Africa recently submitted by the Government

of the Union of South Africa and to submit its observations thereon to the General Assembly.

20. Information From Non-Self-Governing Territories

[On November 3 the Assembly adopted five resolutions which may be summarized as follows:

I. The Assembly unanimously urged the use of a standard form prepared for the guidance of Members in the preparation of information on non-self-governing territories to be submitted to the Secretary-General under Article 73 e of the Charter.

II. The Assembly unanimously adopted a resolution providing that the Secretary-General, in presenting such information, might also make use of official publications of the Members administering the non-self-governing territories which contain information required under Article 73 e, provided that only publications transmitted or notified to the Secretary-General by the administering state concerned may be used. The Secretary-General is also authorized to use, under similar restrictions, documents published by intergovernmental or scientific bodies and to include, for purposes of comparison, relevant official statistical information by agreement with the Member concerned.

III. By a vote of 44 to 2, with 5 abstentions, the Assembly expressed its opinion that voluntary transmission to the Secretary-General of political information from non-self-governing territories is in conformity with the spirit of Article 73 e of the Charter and should be encouraged.

IV. The Assembly unanimously invited the Secretary-General to take steps to secure the assistance of the specialized agencies in the preparation of analyses of information required under Article 73 e of the Charter, on a functional basis.

V. A special committee was created, composed of eight members of the United Nations transmitting information on non-self-governing territories and eight other members, to examine the information thus transmitted and to submit reports thereon to the General Assembly. The special committee may make recommendations relating to functional fields generally but not with respect to individual territories. This resolution was adopted by a vote of 49 in favor, none opposed, with 4 abstentions. The special committee was duly elected and will meet not less than two weeks before the beginning of the next regular session.]

I

Standard Form for the Guidance of Members in the Preparation of Information To Be Transmitted Under Article 73 e of the Charter[4]

The General Assembly *recommends:*

1. That the Members transmitting information under Article 73 e of the Charter be invited to undertake all necessary steps to render

[4] The standard form mentioned in this resolution is not reproduced. The principal sections of the standard form bear the following titles: Section I: *General Information (Optional Category)*; Section II: *Social Conditions;* Section III: *Educational Conditions;* Section IV: *Economic Conditions;* Section V: *Pictorial Material* (if available).

the information as complete and up to date as possible, in order to facilitate the completion of the Secretary-General's summaries and analyses of the information as described in paragraph 2, and, for this purpose, to ensure that the items mentioned in sections II, III and IV of the standard form be covered insofar as they apply to the territories concerned. The Assembly also draws attention to section I of the standard form.

2. That the Secretary-General, in submitting annually to the General Assembly his summary and analysis of the information required under Article 73 e, including the use of supplemental information as recommended in resolution II should in his analyses follow, as far as practicable, the standard form annexed to this resolution, and should include summaries of such information as may be transmitted on the participation by local populations in local organs of government.

II

Supplemental Documents Relating to Information Transmitted Under Article 73 e of the Charter

The General Assembly *recommends:*

1. That, in order to present in the best possible manner the summaries and analyses of information transmitted under Article 73 e of the Charter, the Secretary-General may use official publications of the Members responsible for the administration of non-self-governing territories, in addition to the information transmitted under Article 73 e giving appropriate citation of sources.

2. That the Secretary-General's use of data derived from the official publications mentioned in paragraph 1 above shall be limited to the subjects treated in the information required under Article 73 e.

3. That only such publications shall be used as may be transmitted or notified to the Secretary-General by the administering Member or Members concerned.

4. That, to the same end, the Secretary-General may use the documents published by inter-governmental or scientific bodies on matters relating to Non-Self-Governing Territories, subject to the provisions of paragraphs 2 and 3 above.

5. That, in addition to the information transmitted under Article 73 e, the above-mentioned supplemental information shall be communicated to the appropriate specialized agencies through the intermediary of the Secretary-General.

6. That, for purposes of comparison the Secretary-General shall be authorized, in addition, to include in his summaries and analyses all relevant and comparable official statistical information which is available in the statistical services of the Secretariat and which may be

agreed upon between the Secretary-General and the Member concerned, giving appropriate citation of sources.

III

Voluntary Transmission of Information Regarding the Development of Self-Governing Institutions in the Non-Self-Governing Territories

The General Assembly,

HAVING NOTED that some Members responsible for the administration of Non-Self-Governing Territories already have voluntarily transmitted information on the development of self-governing institutions in the Non-Self-Governing Territories;

Considers that the voluntary transmission of such information and its summarizing by the Secretary-General are entirely in conformity with the spirit of Article 73 of the Charter, and should be therefore duly noted and encouraged.

IV

Collaboration of the Specialized Agencies in Regard to Article 73 e of the Charter

The General Assembly,

Invites the Secretary-General to enter into relations with the secretariats of the specialized agencies in order to allow these agencies:

1. To assist the Secretary-General of the United Nations in preparing analyses of the information required under Article 73 e of the Charter on a functional basis;

2. To make recommendations through the appropriate channels, to the General Assembly with respect to the form and content of the information with a view to incorporating therein the informational needs of the specialized agencies; and

3. To bring to the notice of the General Assembly through the appropriate channels, conclusions, based on this information and supplemental information, as to the conditions, within their respective fields of interest, of Non-Self-Governing Territories generally and particularly as to the services which the specialized agencies might make available to the administering nations in improving these conditions.

V

Creation of a Special Committee on Information Transmitted Under Article 73 e of the Charter

The General Assembly,

1. *Invites* the Fourth Committee to constitute a special committee to examine the information transmitted under Article 73 e of the

Charter on the economic, social and educational conditions in the Non-Self-Governing Territories, and to submit reports thereon for the consideration of the General Assembly with such procedural recommendations as it may deem fit, and with such substantive recommendations as it may deem desirable relating to functional fields generally but not with respect to individual territories;

2. *Authorizes* this special committee for this purpose

(a) To avail itself of the counsel and assistance of the specialized agencies in such manner as it may consider necessary or expedient;

(b) To establish liaison with the Economic and Social Council;

(c) To invite the Members to provide such supplemental information as may be desired within the terms of Article 73 e; and

3. *Considers* that the special committee should be composed of the Members of the United Nations transmitting information and an equal number of Members elected by the Fourth Committee on behalf of the General Assembly on as wide a geographical basis as possible, the Members to meet as the General Assembly may decide.[5]

21. Third Annual Budget and Working Capital Fund of the United Nations

[On November 20, by a vote of 37 to 0, with 10 abstentions, the General Assembly adopted a budget for 1948 totaling $34,825,195. It also decided, by a vote of 41 to 1, with 8 abstentions, that the Working Capital Fund should be maintained until the end of 1948 at a figure of $20,000,000. Provision was made for the use of the Working Capital Fund for a number of purposes, including an amount not to exceed $5,000,000 for possible emergency assistance in 1948 to the Free Territory of Trieste. Repayment to the Fund for advances to Trieste will be made by Members in accordance with a special scale to be established at the next regular session of the Assembly.]

Appropriation Resolution, for the Financial Year 1948

The General Assembly

Resolves that for the financial year 1948:

1. An amount of $34,825,195 is hereby appropriated for the following purposes:

[5] Members transmitting information include Australia, Belgium, Denmark, France, the Netherlands, New Zealand, United Kingdom, and the United States. Members elected by the Fourth Committee include China, Colombia, Cuba, Egypt, India, Nicaragua, Sweden, and the Union of Soviet Socialist Republics. The Committee will meet not less than two weeks before the opening of the next regular session of the General Assembly.

A. *The United Nations*

Part I. Sessions of the General Assembly, the Councils, Commissions and Committees.

Section	*Amount*	
1. The General Assembly and Commissions and Committees thereof	$2,260,725	
2. The Security Council and Commissions and Committees thereof	246,374	
3. The Economic and Social Council and Commissions and Committees thereof	324,117	
4. The Trusteeship Council and Commissions and Committees thereof	69,380	$2,900,596
Part II. Special Conferences, Investigations and Inquiries		
5. Special Conferences	32,286	
6. Investigations and Inquiries	1,122,472	1,154,758
Part III. The Secretariat		
7. Executive Office of the Secretary-General	338,000	
8. Department of Security Council Affairs	659,917	
9. Military Staff Committee Secretariat	156,830	
10. Department of Economic Affairs	1,689,159	
11. Department of Social Affairs	1,225,555	
12. Department for Trusteeship and Information from Non-Self-Governing Territories	741,262	
13. Department of Public Information	3,339,915	
14. Department of Legal Affairs	669,490	
15 Conference and General Services	7,425,962	
16. Administrative and Financial Services	1,529,000	
17. Geneva Office	1,430,562	
18. Information and Correspondent Centres	488,758	
19. Overseas Recruitment Programme	57,736	
20. Hospitality	20,000	
21. Common Staff Costs	5,010,000	24,782,146
Part IV. Common Services		
22. Telephone and Postage	388,487	
23. Rental and Maintenance of Premises	923,900	
24. Stationery, Office Supplies, Rental and Maintenance of Office Equipment	233,193	
25. Internal Reproduction and Printing	275,800	
26. Maintenance and Operation of Transport	74,400	
27. Miscellaneous Supplies and Contractual Services	407,518	2,303,298
Part V. Capital Expenses		
28. Office Furniture Fixtures and Equipment	265,400	
29. Motion Picture, Photographic, Radio, Recording and Translation Equipment	169,500	
30. Library Books and Equipment	129,000	
31. Purchase of Motor Vehicles	82,000	
32. Miscellaneous Capital Equipment	97,300	743,200

A. *The United Nations*—Continued

Part VI. Economic Commissions, Administration of the Free Territory of Trieste, and Advisory Social Welfare Functions

Section	*Amount*	
33. Economic Commissions for Europe and for Asia and the Far East	$1,430,000	
34. Administration of the Free Territory of Trieste	150,000	
35. Advisory Social Welfare Functions	670,186	$2,250,186
		$34,134,184

B. *International Court of Justice*

Part VII. The International Court of Justice

Section	*Amount*	
36. Salaries and Expenses of Members of the Court	$390,943	
37. Salaries, Wages and Expenses of the Registry	221,388	
38. Common Services of the Court	66,604	
39. Capital Expenses of the Court	12,076	691,011
		$34,825,195

2. Casual revenue not exceeding $761,727 is hereby appropriated in aid of the above expenditure. The balance of expenditures ($34,063,468) shall be met by annual contributions;

3. Amounts not exceeding the above appropriations shall be available for the payment of obligations in respect of goods supplied and services rendered during the period 1 January 1948 to 31 December 1948;

4. The Secretary-General is authorized

(i) To transfer credits from Part VI to such other parts of the budget as are appropriate, provided that the credits may only be used for purposes within the ambit of Part VI;

(ii) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget.

Working Capital Fund

The General Assembly

Resolves that:

1. The Working Capital Fund shall be maintained to 31 December 1948 at the amount of 20,000,000 United States dollars;

2. Members shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Members to the third annual budget;

3. There shall be set off against this new allocation of advances, the amounts paid by Members to the Working Capital Fund for the

financial year 1947; provided that should the advance paid by any Member to the Working Capital Fund for the financial year 1947 exceed the amount of that Member's advance under the provisions of paragraph 2 hereof, the excess shall be set off against the amount of contributions payable by that Member in respect of the third annual budget, or any previous budget.

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(*a*) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(*b*) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolution relating to unforeseen or extraordinary expenses. The Secretary-General shall make provisions in the budget estimates for reimbursing the Working Capital Fund;

(*c*) Such sums as, together with the sums advanced for the same purpose in 1947, will not exceed $250,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of $250,000 may be made with the prior concurrence of the Advisory Committee. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving fund at the end of each year;

(*d*) Loans to specialized agencies and preparatory commissions of agencies to be established by inter-govermental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall be repayable within two years, the Secretary-General shall have regard to the proposed financial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts outstanding from 1947) at any one time to an amount in excess of $3,000,000, and for any issue which would increase the balance outstanding (including amounts outstanding from 1947) in respect of any one agency to an amount in excess of $1,000,000;

(*e*) Such sums as, together with the sums advanced for the same purpose in 1947, do not exceed $675,000 to continue the staff housing fund, to finance advance rental payments, guarantee deposits and working capital requirements for housing the staff of the Secretariat. Such advances shall be reimbursed to the Working Capital

Fund following the recovery of the rental advances, guarantee deposits and working capital advances;

(*f*) Such sums as, together with sums advanced for the same purpose in 1947, do not exceed $100,000 to establish a revolving fund to finance loans to certain staff members for purchase of furniture and household goods;

(*g*) Such sums, not to exceed $5,000,000 for emergency assistance in 1948 to the Free Territory of Trieste as the Security Council may approve, upon request from the Governor and Provisional Council of Government of the Free Territory of Trieste under terms to be agreed upon between the Secretary-General and the Governor. If any such advances are made, the Working Capital Fund shall include a special sub-division for this purpose and shall be replenished by Members according to a special operational scale to be established at the next regular session of the General Assembly. Such repayments as may be made by the Free Territory of Trieste to the United Nations under the terms of such advances shall be credited to Members in proportion to the contribution paid by them under the special scale.

22. Scale of Contributions

[The Assembly unanimously approved on November 15 the scale of assessments for the 1948 budget, which continues the United States quota at 39.89 percent of the total for another year.]

The General Assembly *resolves*

(i) That the scale of assessments for the 1948 budget shall be as follows:

SCALE OF ASSESSMENTS FOR 1948

	Per Cent		Per Cent
Afghanistan	0. 05	Dominican Republic	0. 05
Argentina	1. 85	Ecuador	0. 05
Australia	1. 97	Egypt	0. 79
Belgium	1. 35	El Salvador	0. 05
Bolivia	0. 08	Ethiopia	0. 08
Brazil	1. 85	France	6. 00
Byelorussian Soviet Socialist Republic	0. 22	Greece	0. 17
Canada	3. 20	Guatemala	0. 05
Chile	0. 45	Haiti	0. 04
China	6. 00	Honduras	0. 04
Colombia	0. 37	Iceland	0. 04
Costa Rica	0. 04	India and Pakistan	[6] 3. 95
Cuba	0. 29	Iran	0. 45
Czechoslovakia	0. 90	Iraq	0. 17
Denmark	0. 79	Lebanon	0. 06
		Liberia	0. 04

[6] The Government of India has undertaken in the first instance to pay the total assessment for India and Pakistan for 1948 subject to an inter-governmental adjustment between the two States.

SCALE OF ASSESSMENTS FOR 1948—Continued

	Per Cent		Per Cent
Luxembourg	0. 05	Syria	0. 12
Mexico	0. 63	Turkey	0. 91
Netherlands	1. 40	Ukrainian Soviet Socialist Republic	0. 84
New Zealand	0. 50	Union of South Africa	1. 12
Nicaragua	0. 04	Union of Soviet Socialist Republics	6. 34
Norway	0. 50	United Kingdom	11. 48
Panama	0. 05	United States	39. 89
Paraguay	0. 04	Uruguay	0. 18
Peru	0. 20	Venezuela	0. 27
Philippines	0. 29	Yemen	0. 04
Poland	0. 95	Yugoslavia	0. 33
Saudi Arabia	0. 08		
Siam	0. 27		100. 00
Sweden	2. 04		

(ii) That, notwithstanding the provisions of rule 43 of the provisional rules of procedure, the scale of assessments for the apportionment of expenses of the United Nations shall be reviewed by the Committee on Contributions in 1948 and a report submitted for the consideration of the General Assembly at its next regular session;

(iii) That, in view of the fact that Siam became a Member of the United Nations on 16 December 1946, and did not participate in the first session of the General Assembly and that the United Nations was not called upon to contribute to the travelling expenses of the Siamese delegation, no assessment shall be levied on Siam for the year 1946;

(iv) That, in view of the fact that India has contributed the total percentage for 1947 now attributed to India and Pakistan, no assessment shall be levied on Pakistan for the year 1947;

(v) That, in the case of Yemen, the minimum contribution of 33⅓ percent of the percentage of assessment determined for the year 1948, applied to the budget for the year of admission, shall be levied for the year 1947.

23. Tax Equalization

[By unanimous vote on November 20 the General Assembly requested that Members, who had not yet done so, take the necessary legislative action to exempt their nationals employed in the Secretariat from national income taxation; requested the Secretary-General to submit to the next regular session a staff contributions plan; requested Members to grant relief from possible double taxation to their nationals employed by the United Nations, pending the granting of tax exemption; and invited the Secretary-General to omit from all future personnel contracts any clauses requiring tax reimbursement to Secretariat employees in the absence of an annual authorization by the General Assembly. The Secretary-General was authorized to make tax reimbursements for one more year.]

The General Assembly,

REAFFIRMING the principles set forth in the Convention on the

Privileges and Immunities of the United Nations and in resolutions 13 (I) and 78 (I) adopted at the two parts of the first session of the General Assembly with respect to taxation;

CONSIDERING that in order to achieve both equity among the Member States and equality among the staff members of the Organization, Member States should exempt from national income taxation salaries and allowances paid by the United Nations; and

NOTING that certain Members have not yet established this exemption:

Resolves:

1. That Members which have not acceded to the Convention on Privileges and Immunities are requested to take the necessary legislative action to do so in order to exempt their nationals employed by the United Nations from national income taxation;

2. That the Secretary-General is requested to prepare and submit to the next regular session of the General Assembly a Staff Contributions Plan in accordance with the recommendations of the Advisory Committee (document A/396);

3. That, pending granting tax exemption, Members are requested to grant relief from double taxation to their nationals employed by the United Nations;

4. That the Secretary-General is invited to omit from all future personnel contracts any clause which binds the Organization to refund national income taxation in the absence of annual authorization by the General Assembly;

5. That, in order to achieve equality among staff members, the Secretary-General is authorized to reimburse staff members for national taxes paid on salaries and allowances received from the United Nations during the years 1946, 1947 and 1948; and

6. That the Secretary-General is requested to submit a report to the next regular session of the General Assembly on the action taken under this resolution.

24. Composition of the Secretariat and the Principle of Geographic Distribution

[By unanimous vote on November 15 the General Assembly stressed the importance of recruiting the staff of the Secretariat so as to secure the highest standards of performance as well as the widest possible geographic distribution.]

WHEREAS it is desirable to attain a balanced geographical distribution in the composition of the Secretariat, thus improving the present distribution, which results from unavoidable difficulties encountered in the initial stages of organization;

WHEREAS the above consideration does not conflict with the paramount consideration of employment of the staff, as laid down in Article 101, paragraph 3 of the Charter, namely, the necessity of securing the highest standard of efficiency, competence and integrity;

WHEREAS, in view of its international character and in order to avoid undue predominance of national practices, the policies and administrative methods of the Secretariat should reflect, and profit to the highest degree from, assets of the various cultures and the technical competence of all Member nations:

The General Assembly,

1. *Reaffirms* the principle of securing the highest standard of efficiency, competence and integrity in the staff of the Secretariat, as well as the importance of recruiting the staff on as wide a geographical basis as possible; and

2. *Requests* the Secretary-General:

(*a*) To examine the recruitment policy that has been followed to date with a view to improving the present geographical distribution of the posts within the various Departments;

(*b*) To take, as soon as possible, the necessary steps with a view to engaging staff members from those countries which have not yet any of their nationals in the Secretariat;

(*c*) To review, in accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions, the qualifications, background and experience of the present members of the staff, with a view to replacing those who do not reach the high standards fixed by the Charter;

(*d*) To take all practicable steps to ensure the improvement of the present geographical distribution of staff, including the issuance of such rules and regulations as may be necessary to comply with the principles of the Charter as elaborated in this resolution;

(*e*) To present to the next regular session of the General Assembly a report of the action taken under this resolution.

25. Establishment of an International Law Commission

[On November 21 the Assembly, by a vote of 44 to 0, with 6 abstentions, decided to establish an international law commission to promote the progressive development of international law and its codification, the members of the commission to be elected at the Third (1948) Regular Session of the General Assembly. A statute for the proposed commission was also approved.]

The General Assembly,

RECOGNIZING the need for giving effect to Article 13, paragraph 1, sub-paragraph a, of the Charter, stipulating that the General Assembly

shall initiate studies and make recommendations for the purpose o encouraging the progressive development of international law and it codification;

HAVING STUDIED the report of the Committee directed by resolutio 94 (I) of the General Assembly of 11 December 1946 to study:

(*a*) The methods by which the General Assembly should encour age the progressive development of international law and its eventua codification;

(*b*) Methods of securing the co-operation of the several organs o the United Nations to this end;

(*c*) Methods of enlisting the assistance of such national or inter national bodies as might aid in the attainment of this objective;

RECOGNIZING the desirability of establishing a commission compose of persons of recognized competence in international law and repre senting as a whole the chief forms of civilization and the basic legal sys tems of the world;

Resolves to establish an "International Law Commission", th members of which shall be elected at the third regular session of th General Assembly, and which shall be constituted and shall exercis its functions in accordance with the provisions of the annexed statute

Statute of the International Law Commission

ARTICLE 1

1. The International Law Commission shall have for its object th promotion of the progressive development of international law and its codification.

2. The Commission shall concern itself primarily with public inter national law, but is not precluded from entering the field of privat international law.

Chapter I. *Organization of the International Law Commission*

ARTICLE 2

1. The Commission shall consist of fifteen members who shall be per sons of recognized competence in international law.

2. No two members of the Commission shall be nationals of th same State.

3. In case of dual nationality a candidate shall be deemed to be a national of the State in which he ordinarily exercises civil and polit ical rights.

ARTICLE 3

The members of the Commission shall be elected by the General Assembly from a list of candidates nominated by the Governments of Members of the United Nations.

ARTICLE 4

Each Member may nominate for election not more than four candidates, of whom two may be nationals of the nominating State and two nationals of other States.

ARTICLE 5

The names of the candidates shall be submitted in writing by the Governments to the Secretary-General by the first of June of the year in which an election is held, provided that a Government may in exceptional circumstances substitute for a candidate whom it has nominated before the first of June another candidate whom it shall name not later than thirty days before the opening of the General Assembly.

ARTICLE 6

The Secretary-General shall as soon as possible communicate to the Governments of Members the names submitted, as well as any statements of qualifications of candidates that may have been submitted by the nominating Governments.

ARTICLE 7

The Secretary-General shall prepare the list referred to in Article 3 above, comprising in alphabetical order the names of all the candidates duly nominated, and shall submit this list to the General Assembly for the purposes of the election.

ARTICLE 8

At the election the electors shall bear in mind that the persons to be elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured.

ARTICLE 9

1. The fifteen candidates who obtained the greatest number of votes and not less than a majority of the votes of the Members present and voting shall be elected.

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2. In the event of more than one national of the same State obtaining a sufficient number of votes for election the one who obtains the greatest number of votes shall be elected and if the votes are equally divided the elder or eldest candidate shall be elected.

ARTICLE 10

The members of the Commission shall be elected for three years. They shall be eligible for re-election.

ARTICLE 11

In the case of a casual vacancy, the Commission itself shall fill the vacancy having due regard to the provisions contained in articles 2 and 8 of this Statute.

ARTICLE 12

The Commission shall sit at the headquarters of the United Nations. The Commission shall, however, have the right to hold meetings at other places after consultation with the Secretary-General.

ARTICLE 13

Members of the Commission shall be paid travel expenses and shall also receive a per diem allowance at the same rate as the allowance paid to members of commissions of experts of the Economic and Social Council.

ARTICLE 14

The Secretary-General shall, so far as he is able, make available staff and facilities required by the Commission to fulfill its task.

Chapter II. *Functions of the International Law Commission*

ARTICLE 15

In the following articles the expression "progressive development of international law" is used for convenience as meaning the preparation of draft conventions on subjects which have not yet been regulated by international law or in regard to which the law has not yet been sufficiently developed in the practice of States. Similarly, the expression "codification of international law" is used for convenience as meaning the more precise formulation and systematization of rules of international law in fields where there already has been extensive state practice, precedent and doctrine.

A. PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW

ARTICLE 16

When the General Assembly refers to the Commission a proposal for the progressive development of international law, the Commission shall follow a procedure on the following lines:

(*a*) The Commission shall appoint one of its members to be Rapporteur;

(*b*) The Commission shall formulate a plan of work;

(*c*) The Commission shall circulate a questionnaire to the Governments, and shall invite them to supply within a fixed period of time data and information relevant to items included in the plan of work;

(*d*) The Commission may appoint some of its members to work with the Rapporteur on the preparation of drafts pending receipt of replies to this questionnaire;

(*e*) The Commission may consult with scientific institutions and individual experts; these experts need not necessarily be nationals of Members of the United Nations. The Secretary-General will provide, when necessary and within the limits of the budget, for the expenses of these consultations of experts;

(*f*) The Commission shall consider the drafts proposed by the Rapporteur;

(*g*) When the Commission considers a draft to be satisfactory, it shall request the Secretary-General to issue it as a Commission document. The Secretariat shall give all necessary publicity to this document which shall be accompanied by such explanations and supporting material as the Commission considers appropriate. The publication shall include any information supplied to the Commission in reply to the questionnaire referred to in sub-paragraph (*c*) above;

(*h*) The Commission shall invite the Governments to submit their comments on this document within a reasonable time;

(*i*) The Rapporteur and the members appointed for that purpose shall reconsider the draft taking into consideration these comments and shall prepare a final draft and explanatory report which they shall submit for consideration and adoption by the Commission;

(*j*) The Commission shall submit the draft so adopted with its recommendations through the Secretary-General to the General Assembly.

ARTICLE 17

1. The Commission shall also consider proposals and draft multilateral conventions submitted by Members of the United Nations, the principal organs of the United Nations other than the General Assembly, specialized agencies, or official bodies established by inter-govern-

mental agreement to encourage the progressive development of international law and its codification, and transmitted to it by the Secretary-General.

2. If in such cases the Commission deems it appropriate to proceed with the study of such proposals or drafts, it shall follow a procedure on the following lines:

(*a*) The Commission shall formulate a plan of work, and study such proposals or drafts and compare them with any other proposals and drafts on the same subject;

(*b*) The Commission shall circulate a questionnaire to all Members of the United Nations and to the organs, specialized agencies and official bodies mentioned above which are concerned with the question, and shall invite them to transmit their comments within a reasonable time;

(*c*) The Commission shall submit a report with its recommendations to the General Assembly. It may also, if it deems it desirable, before doing so make an interim report to the organ, agency or body which has submitted the proposal or draft;

(*d*) If the General Assembly should invite the Commission to proceed with its work on a proposal, the procedure outlined in article 16 above shall apply. The questionnaire referred to in paragraph (*c*) of that article may not, however, be necessary.

B. CODIFICATION OF INTERNATIONAL LAW

Article 18

1. The Commission shall survey the whole field of international law with a view to selecting topics for codification, having in mind existing drafts whether governmental or not.

2. When the Commission considers that the codification of a particular topic is necessary or desirable, it shall submit its recommendations to the General Assembly.

3. The Commission shall give priority to requests of the General Assembly to deal with any question.

Article 19

1. The Commission shall adopt a plan of work appropriate to each case.

2. The Commission shall, through the Secretary-General, address to Governments a detailed request to furnish the texts of laws, decrees, judicial decisions, treaties, diplomatic correspondence and other documents relevant to the topic being studied and which the Commission deems necessary.

ARTICLE 20

The Commission shall prepare its drafts in the form of articles and shall submit them to the General Assembly together with a commentary containing:

(*a*) Adequate presentation of precedents and other relevant data, including treaties, judicial decisions and doctrine;

(*b*) Conclusions relevant to:

1. The extent of agreement on each point in the practice of States and in doctrine;

2. Divergencies and disagreements which exist, as well as arguments invoked in favour of one or another solution.

ARTICLE 21

1. When the Commission considers a draft to be satisfactory, it shall request the Secretary-General to issue it as a Commission document. The Secretariat shall give all necessary publicity to the document including such explanations and supporting material as the Commission may consider appropriate. The publication shall include any information supplied to the Commission by Governments in accordance with article 19. The Commission shall decide whether the opinions of any scientific institution or individual expert consulted by the Commission shall be included in the publication.

2. The Commission shall request Governments to submit comments on this document within a reasonable time.

ARTICLE 22

Taking such comments into consideration, the Commission shall prepare a final draft and explanatory report which it shall submit with its recommendations through the Secretary-General to the General Assembly.

ARTICLE 23

1. The Commission may recommend to the General Assembly:

(*a*) To take no action, the report having already been published;

(*b*) To take note of or adopt the report by resolution;

(*c*) To recommend the draft to Members with a view to the conclusion of a convention;

(*d*) To convoke a conference to conclude a convention.

2. Whenever it deems it desirable, the General Assembly may refer drafts back to the Commission for reconsideration or redrafting.

ARTICLE 24

The Commission shall consider ways and means for making the evidence of customary international law more readily available, such as the collection and publication of documents concerning State practice and of the decisions of national and international courts on questions of international law, and shall make a report to the General Assembly on this matter.

Chapter III. *Co-operation With Other Bodies*

ARTICLE 25

1. The Commission may consult, if it considers necessary, with any of the organs of the United Nations on any subject which is within the competence of that organ.

2. All documents of the Commission which are circulated to Governments by the Secretary-General shall also be circulated to such organs of the United Nations as are concerned. Such organs may furnish any information or make any suggestions to the Commission.

ARTICLE 26

1. The Commission may consult with any international or national organizations, official or non-official, on any subject entrusted to it if it believes that such a procedure might aid it in the performance of its functions.

2. For the purpose of distribution of documents of the Commission, the Secretary-General, after consultation with the Commission, shall draw up a list of national and international organizations concerned with questions of international law. The Secretary-General shall endeavour to include on this list at least one national organization of each Member of the United Nations.

3. In the application of the provisions of this article, the Commission and the Secretary-General shall comply with the resolutions of the General Assembly and the other principal organs of the United Nations concerning relations with Franco Spain and shall exclude both from consultations and from the list, organizations which have collaborated with the nazis and fascists.

4. The advisability of consultation by the Commission with inter-governmental organizations whose task is the codification of international law, such as those of the Pan American Union, is recognized.

26. Need for Greater Use by the United Nations and Its Organs of the International Court of Justice

[Three resolutions were adopted on this subject, all on November 14. The most important, approved by a vote of 46 to 6, with 2 abstentions, recommends that organs of the United Nations and specialized agencies review from time to time important points of law within the Court's jurisdiction which have arisen in their work and involve principles which it is desirable to settle, including points of law relating to interpretation of the Charter or the constitutions of the specialized agencies. The resolution further recommends that, if so authorized under the Charter, the organs and agencies concerned refer such questions to the Court for an advisory opinion.]

I [7]

The General Assembly,

CONSIDERING that it is a responsibility of the United Nations to encourage the progressive development of international law;

CONSIDERING that it is of paramount importance that the interpretation of the Charter of the United Nations and the constitutions of the specialized agencies should be based on recognized principles of international law;

CONSIDERING that the International Court of Justice is the principal judicial organ of the United Nations;

CONSIDERING that it is also of paramount importance that the Court should be utilized to the greatest practicable extent in the progressive development of international law both in regard to legal issues between States and in regard to constitutional interpretation;

Recommends that organs of the United Nations and the specialized agencies should, from time to time, review the difficult and important points of law within the jurisdiction of the International Court of Justice which have arisen in the course of their activities and involve questions of principle which it is desirable to have settled, including, in particular, points of law relating to the interpretation of the Charter of the United Nations or the constitutions of the specialized agencies, and, if duly authorized according to Article 96, paragraph 2, of the Charter, should refer them to the International Court of Justice for an advisory opinion.

27. Draft Declaration on the Rights and Duties of States

[The Assembly, on November 21, with 5 negative votes recorded, requested the Secretary-General to undertake the necessary preparatory work on the draft declaration on the rights and duties of states and entrusted further study of the

[7] Resolutions II and III not printed here.

problem to the International Law Commission, which is instructed to prepare a new draft, taking the Panamanian draft as a basis for discussion.]

The General Assembly,

NOTING that very few comments and observations on the draft declaration on the rights and duties of States presented by Panama have been received from the States Members of the United Nations;

Requests the Secretary-General to draw the attention of States to the desirability of submitting their comments and observations without delay;

Requests the Secretary-General to undertake the necessary preparatory work on the draft declaration on the rights and duties of States according to the terms of the resolution included in document A/506;

Resolves to entrust further study of this problem to the International Law Commission, the members of which, in accordance with the terms of the resolution included in document A/504 will be elected at the next session of the General Assembly;

And accordingly

Instructs the International Law Commission to prepare a draft declaration on the rights and duties of States, taking as a basis of discussion the draft declaration on the rights and duties of States presented by Panama, and taking into consideration other documents and drafts on this subject.

28. Formulation of the Principles Recognized in the Charter of the Nürnberg Tribunal and in the Judgment Rendered by the Tribunal

[By 42 votes to 1, with 8 abstentions, the Assembly on November 21 decided to entrust to the International Law Commission the formulation of these principles of international law and directed the Commission to formulate these principles and to prepare a draft code of offenses against the peace and security of mankind.]

The General Assembly

Decides to entrust the formulation of the principles of international law recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal to the International Law Commission, the members of which will, in accordance with resolution 174 (II), be elected at the next session of the General Assembly; and

Directs the Commission to:

(*a*) Formulate the principles of international law recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal and

(*b*) Prepare a draft code of offences against the peace and security

of mankind, indicating clearly the place to be accorded to the principles mentioned in sub-paragraph (*a*) above.

29. Draft Convention on Genocide

[On November 21 the Assembly, by a vote of 38 to 0, with 14 abstentions, adopted a resolution requesting the Economic and Social Council to continue its study of the suppression of the crime of genocide and to proceed with the completion of a convention on the subject, taking into account the fact that the International Law Commission has been charged with formulating the legal principles of the Nürnberg Charter. The Council is to submit a convention on this question to the Third Regular Session of the Assembly.]

The General Assembly,

REALIZING the importance of the problem of combating the international crime of genocide;

REAFFIRMING its resolution 96 (I) of 11 December 1946 on the crime of genocide;

DECLARING that genocide is an international crime entailing national and international responsibility on the part of individuals and States;

NOTING that a large majority of the Governments of Members of the United Nations have not yet submitted their observations on the draft convention on the crime of genocide prepared by the Secretariat and circulated to those Governments by the Secretary-General on 7 July 1947;

CONSIDERING that the Economic and Social Council has stated in its resolution of 6 August 1947 that it proposes to proceed as rapidly as possible with the consideration of the question of genocide, subject to any further instructions which it may receive from the General Assembly;

Requests the Economic and Social Council to continue the work it has begun concerning the suppression of the crime of genocide, including the study of the draft convention by the Secretariat, and to proceed with the completion of a convention, taking into account that the International Law Commission, which will be set up in due course in accordance with the Assembly Resolution of 21 November 1947 has been charged with the formulation of the principles recognized in the Charter of the Nürnberg Tribunal, as well as the preparation of a draft code of offences against peace and security;

Informs the Economic and Social Council that it need not await the receipt of the observations of all Members before commencing its work; and

Requests the Economic and Social Council to submit a report and the convention on this question to the third regular session of the General Assembly.

30. Surrender of War Criminals and Traitors

[By a vote of 42 to 7, with 6 abstentions, the Assembly on October 31 re-affirmed three resolutions previously passed on this subject, recommended that Members continue to carry out their responsibilities for the surrender and trial of war criminals, further recommended that Members desiring the surrender of alleged war criminals request such surrender as soon as possible, supported by evidence sufficient to establish a reasonable *prima facie* case, and reasserted that trials of war criminals and traitors should be governed by the principles of justice, law, and evidence.]

The General Assembly,

NOTING what has so far been done in the matter of the surrender and punishment, after due trial, of the war criminals referred to in its resolution adopted on 13 February 1946:

Reaffirms the aforementioned resolution;

Reaffirms also its resolutions on the subject of refugees adopted on 12 February 1946 and on 15 December 1946;

Recommends Members of the United Nations to continue with unabated energy to carry out their responsibilities as regards the surrender and trial of war criminals;

Recommends Members of the United Nations which desire the surrender of alleged war criminals or traitors (that is to say nationals of any State accused of having violated their national law by treason or active collaboration with the enemy during the war) by other Members, in whose jurisdiction they are believed to be, to request such surrender as soon as possible and to support their request with sufficient evidence to establish that a reasonable *prima facie* case exists as to identity and guilt; and

Reasserts that trials of war criminals and traitors, like all other trials, should be governed by the principles of justice, law and evidence.

31. Headquarters of the United Nations

[On November 20 the General Assembly unanimously adopted a resolution authorizing the Secretary-General to conclude a loan agreement with the United States for an interest-free loan requiring congressional approval, in an amount not to exceed $65,000,000, for the construction of the headquarters of the United Nations. The loan is to run for not less than 30 years and to be repayable in annual instalments from the ordinary United Nations budget, beginning in 1951. The Secretary-General is authorized to proceed with the construction of the headquarters and to make necessary or desirable alterations in the plans, provided they do not increase the total cost of the project beyond $65,000,000. The Assembly has approved the general plan for the headquarters and has appointed an Advisory Committee of 16 members, including the United States, to assist the Secretary-General in his work.]

The General Assembly,

DESIRING to proceed as rapidly as possible with construction of the permanent headquarters in accordance with the decision taken

by resolution 100 (1) of 14 December 1946 in order that a major part of the project may be completed and ready for use by the fourth regular session of the General Assembly;

Noting with satisfaction the letter dated 29 October 1947 from the Representative of the United States to the Secretary-General (document A/AC.15/7), stating that the Government of the United States would be prepared to enter into negotiations with the Secretary-General with a view to concluding a loan agreement whereby an interest-free United States Government loan for an amount not exceeding $65,000,000 would be made available for the purpose of financing the cost of constructing the United Nations headquarters, and that the President of the United States would be willing to request the Congress of the United States to grant its approval, which would be required for such a loan:

1. *Approves* the general plan and design set forth in the report by the Secretary-General on the permanent headquarters of the United Nations (document A/311) as revised in the further report by the Secretary-General (documents A/311/Add.1/Rev.1, A/311/Add. 2 and Add. 3).

2. *Authorizes* the Secretary-General:

(*a*) To negotiate and conclude, on behalf of the United Nations, a loan agreement with the Government of the United States of America, for an interest-free loan which would require approval by the Congress of the United States, in an amount not to exceed $65,000,000 to provide for the payment of the costs of construction and other purposes provided for in paragraph 3 of this resolution. Such loan should be for a term of not less than thirty years and should be repayable in annual installments from the ordinary budget of the United Nations, the first installment to be payable out of the budget for the year 1951;

(*b*) To receive and expend, or direct the expenditure of, the sum borrowed in accordance with the foregoing authorization for the purposes set forth in paragraph 3 of this resolution;

(*c*) With the consent of the Advisory Committee on Budgetary and Administrative Questions, to obligate or expend sums from the Working Capital Fund not exceeding $1,000,000, in order to continue detailed architectural and engineering planning and research, and to meet commitments for other necessary arrangements in preparation for the construction and other work provided for in paragraph 3 of this resolution.

3. *Further authorizes* the Secretary-General, after the conclusion of the loan agreement authorized in paragraph 2 of this resolution and approval of the proposed loan by the Congress of the United States of America:

(*a*) To proceed with the construction and furnishing of the General Assembly building, conference area and Secretariat building, together with the necessary landscaping, underground construction and other appropriate improvements to the land and approaches;

(*b*) To enter into contracts for the construction, furnishings and other work referred to in paragraph 3 (*a*) hereof, and to make expenditures to an amount not exceeding $65,000,000 for these purposes and for related purposes as set forth in document A/311/Add.1/Rev.1.

4. *Further authorizes* the Secretary-General:

(*a*) While adhering to the general plan and design referred to in paragraph 1 hereof, to make such modifications in the plans, design, buildings, furnishings, landscaping, underground construction and other improvements, as he finds necessary or desirable; provided that such modifications shall not increase the total cost beyond the sum provided for in paragraph 3 (*b*);

(*b*) To enter into appropriate arrangements with the United States Government, the State of New York, and the City of New York, with regard to easements, public services, sub-surface facilities, the approaches to the site, the vehicular traffic, water front and pier rights, and similar matters.

5. In carrying out his responsibilities as set forth in this resolution the Secretary-General shall be assisted by an Advisory Committee consisting of representatives of the following Members:

> Australia, Belgium, Brazil, Canada, China, Colombia, France, Greece, India, Norway, Poland, Syria, Union of Soviet Socialist Republics, United Kingdom, United States of America and Yugoslavia.

6. *Requests* the Secretary-General to report to the third regular session of the General Assembly on the execution of this resolution.

32. Agreement Between the United Nations and the United States Regarding the Headquarters of the United Nations

[In this resolution, which was unanimously adopted on October 31, the General Assembly approves the agreement signed on June 26, 1947, between the United States and the United Nations regarding the headquarters and authorizes the Secretary-General to bring the agreement into force.]

The General Assembly,

Whereas the Secretary-General pursuant to resolution 99 (I) of 14 December 1946 signed with the Secretary of State of the United States of America on 26 June 1947 an Agreement between the United

Nations and the United States of America regarding the Headquarters of the United Nations; and

WHEREAS the Secretary-General in accordance with the said Resolution has submitted the said Agreement to the General Assembly;

HAVING STUDIED the report prepared on this matter by the Sixth Committee;

Endorses the opinions expressed therein;

Approves the Agreement signed on 26 June 1947; and

Authorizes the Secretary-General to bring that Agreement into force in the manner provided in Section 28 thereof, and to perform on behalf of the United Nations such acts or functions as may be required by that Agreement.

The United Nations and the United States of America:

Desiring to conclude an agreement for the purpose of carrying out the resolution adopted by the General Assembly on 14 December 1946 to establish the seat of the United Nations in the City of New York and to regulate questions arising as a result thereof;

Have appointed as their representatives for this purpose:

The United Nations:

Trygve LIE, Secretary-General, and

The United States of America:

George C. MARSHALL, Secretary of State,

Who have agreed as follows:

ARTICLE I

DEFINITIONS

Section 1

In this agreement:

(*a*) The expression "headquarters district" means:

(1) the area defined as such in Annex 1;

(2) any other lands or buildings which from time to time may be included therein by supplemental agreement with the appropriate American authorities;

(*b*) the expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved;

(*c*) the expression "General Convention" means the Convention on

the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations on 13 February 1946, as acceded to by the United States;

(*d*) the expression "United Nations" means the international organization established by the Charter of the United Nations, hereinafter referred to as the "Charter";

(*e*) the expression "Secretary-General" means the Secretary-General of the United Nations.

Article II

THE HEADQUARTERS DISTRICT

Section 2

The seat of the United Nations shall be the headquarters district.

Section 3

The appropriate American authorities shall take whatever action may be necessary to assure that the United Nations shall not be dispossessed of its property in the headquarters district, except as provided in Section 22 in the event that the United Nations ceases to use the same, provided that the United Nations shall reimburse the appropriate American authorities for any costs incurred, after consultation with the United Nations, in liquidating by eminent domain proceedings or otherwise any adverse claims.

Section 4

(*a*) The United Nations may establish and operate in the headquarters district:

(1) its own short-wave sending and receiving radio broadcasting facilities, including emergency link equipment, which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable United States regulations) for radio-telegraph, radio-teletype, radio-telephone, radio-telephoto, and similar services;

(2) one point-to-point circuit between the headquarters district and the office of the United Nations in Geneva (using single sideband equipment) to be used exclusively for the exchange of broadcasting programmes and inter-office communications;

(3) low power, micro wave, low or medium frequencies, facilities for communication within headquarters buildings only, or such other buildings as may temporarily be used by the United Nations;

(4) facilities for point-to-point communications to the same extent and subject to the same conditions as committed under applicable rules and regulations for amateur operation in the United States, except that such rules and regulations shall not be applied in a

manner inconsistent with the inviolability of the headquarters district provided by Section 9 (a);

(5) such other radio facilities as may be specified by supplemental agreement between the United Nations and the appropriate American authorities.

(*b*) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunication Union, the appropriate agencies of the Government of the United States and the appropriate agencies of other affected Governments with regard to all frequencies and similar matters.

(*c*) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district. The appropriate American authorities will, on request of the United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the inclusion of such premises in the headquarters district.

Section 5

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which there shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

Section 6

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

Article III

Law and Authority in the Headquarters District

Section 7

(*a*) The headquarters district shall be under the control and authority of the United Nations as provided in this agreement.

(*b*) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local law of the United States shall apply within the headquarters district.

(*c*) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local courts of the United States shall have jurisdiction over acts done and transactions taking place in the headquarters district as provided in applicable federal, state and local laws.

(*d*) The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations enacted by the United Nations under Section 8.

Section 8

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section shall, to the extent of such inconsistency, be applicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in Section 21. Pending such settlement, the regulation of the United Nations shall apply, and the federal, state or local law or regulation shall be inapplicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not prevent the reasonable application of fire protection regulations of the appropriate American authorities.

Section 9

(*a*) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

(*b*) Without prejudice to the provisions of the General Convention or Article IV of this agreement, the United Nations shall prevent the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United States or are required by the Government of the United States for extradition to another country, or for persons who are endeavouring to avoid service of legal process.

Section 10

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under Section

8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

Article IV

COMMUNICATIONS AND TRANSIT

Section 11

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of (1) representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials; (2) experts performing missions for the United Nations or for such specialized agencies; (3) representatives of the press, or of radio, film or other information agencies, who have been accredited by the United Nations (or by such a specialized agency) in its discretion after consultation with the United States; (4) representatives of nongovernmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter; or (5) other persons invited to the headquarters district by the United Nations or by such specialized agency on official business. The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in Section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation.

Section 12

The provisions of Section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States.

Section 13

(*a*) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11. When visas are required for persons referred to in that Section, they shall be granted without charge and as promptly as possible.

(*b*) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in Section 11 and, specifically, shall not be applied in such manner as to require any such person to

leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in Section 11 shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

(1) No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in Section 11;

(2) A representative of the Member concerned, the Secretary-General or the principal Executive Officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted;

(3) Persons who are entitled to diplomatic privileges and immunities under Section 15 or under the General Convention shall not be required to leave the United States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

(*c*) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by Section 11 come within the classes described in that section, or the reasonable application of quarantine and health regulations.

(*d*) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

(*e*) The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.

(*f*) The United Nations shall, subject to the foregoing provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to pre-

scribe the conditions under which persons may remain or reside there.

Section 14

The Secretary-General and the appropriate American authorities shall, at the request of either of them, consult as to methods of facilitating entrance into the United States, and the use of available means of transportation, by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this Article.

Article V

RESIDENT REPRESENTATIVES TO THE UNITED NATIONS

Section 15

(1) Every person designated by a Member as the principal resident representative to the United Nations of such Member or as a resident representative with the rank of ambassador or minister plenipotentiary,

(2) Such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned,

(3) Every person designated by a Member of a specialized agency, as defined in Article 57, paragraph 2, of the Charter, as its principal resident representative, with the rank of ambassador or minister plenipotentiary at the headquarters of such agency in the United States, and

(4) Such other principal resident representatives of members of a specialized agency and such resident members of the staffs of representatives of a specialized agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned, shall whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of Members whose governments are not recognized by the United States, such privileges and immunities need be extended to such representatives, or persons on the staffs of such representatives, only within the headquarters district, at their residences and offices outside the district, in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

Article VI

POLICE PROTECTION OF THE HEADQUARTERS DISTRICT

Section 16

(*a*) The appropriate American authorities shall exercise due diligence to ensure that the tranquillity of the headquarters district is not disturbed by the unauthorized entry of groups of persons from outside or by disturbances in its immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.

(*b*) If so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, enter into arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

Article VII

PUBLIC SERVICES AND PROTECTION OF THE HEADQUARTERS DISTRICT

Section 17

(*a*) The appropriate American authorities will exercise to the extent requested by the Secretary-General the powers which they possess with respect to the supplying of public services to ensure that the headquarters district shall be supplied on equitable terms with the necessary public services, including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, et cetera. In case of any interruption or threatened interruption of any such services, the appropriate American authorities will consider the needs of the United Nations as being of equal importance with the similar needs of essential agencies of the Government of the United States, and will take steps accordingly, to ensure that the work of the United Nations is not prejudiced.

(*b*) Special provisions with reference to maintenance of utilities and underground construction are contained in Annex 2.

Section 18

The appropriate American authorities shall take all reasonable steps to ensure that the amenities of the headquarters district are not prejudiced and the purposes for which the district is required are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters

district are not prejudiced by any use made of the land in the headquarters district by the United Nations.

Section 19

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

Article VIII

MATTERS RELATING TO THE OPERATION OF THIS AGREEMENT

Section 20

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will communicate regarding the application of the provisions of this agreement and other questions affecting the headquarters district, and may enter into such supplemental agreements as may be necessary to fulfill the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special representative for the purpose of liaison with the Secretary-General.

Section 21

(*a*) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(*b*) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed by both parties. Thereafter, the arbitral tribunal shall render a final decision, having regard to the opinion of the Court.

Article IX

MISCELLANEOUS PROVISIONS

Section 22

(*a*) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of

the United States. If the United States is unwilling to consent to a disposition which the United Nations wishes to make of all or any part of such land, the United States shall buy the same from the United Nations at a price to be determined as provided in paragraph (*d*) of this section.

(*b*) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States be assigned and conveyed to the United States. In the absence of such a request, the same shall be assigned and conveyed to the sub-division of a state in which it is located or, if such sub-division shall not desire it, then to the state in which it is located. If none of the foregoing desire the same, it may be disposed of as provided in paragraph (*a*) of this Section.

(*c*) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the headquarters district shall immediately cease to apply to the land and buildings so disposed of.

(*d*) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in Section 21.

Section 23

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

Section 24

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connection with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

Section 25

Wherever this agreement imposes obligations on the appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfillment of such obligations by the appropriate American authorities.

Section 26

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General Convention relate to the same subject matter, the two provisions shall, wherever possible, be

treated as complementary, so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

Section 27

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently to discharge its responsibilities and fulfill its purposes.

Section 28

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

In witness whereof the respective representatives have signed this Agreement and have affixed their seals hereto.

Done in duplicate, in the English and French languages, both authentic, at Lake Success, this twenty-sixth day of June, 1947.

Annex 1

The area referred to in Section 1 (*a*) (1) consists of:

(*a*) the premises bounded on the East by the westerly side of Franklin D. Roosevelt Drive, on the West by the easterly side of First Avenue, on the North by the southerly side of East Forty-Eighth Street, and on the South by the northerly side of East Forty-Second Street, all as proposed to be widened, in the Borough of Manhattan, City and State of New York, and

(*b*) an easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be fixed for the construction and maintenance of an esplanade, together with the structures thereon and foundations and columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

Annex 2

MAINTENANCE OF UTILITIES AND UNDERGROUND CONSTRUCTION

Section 1

The Secretary-General agrees to provide passes to duly authorized employees of the City of New York, the State of New York, or any of their agencies or sub-divisions, for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

Section 2

Underground constructions may be undertaken by the City of New York, or the State of New York, or any of their agencies or subdivisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

33. United Nations Flag

[On October 20 the Assembly unanimously adopted as the United Nations flag the official United Nations emblem in white centered on a light blue background.]

The General Assembly,

Recognizes that it is desirable to adopt a distinctive flag of the United Nations and to authorize its use and, therefore,

Resolves that the flag of the United Nations shall be the official emblem, adopted by the General Assembly, under the terms of its resolution 92 (I) of 7 December 1946, centered on a light blue ground;

Directs the Secretary-General to draw up regulations concerning the dimensions and proportions of the flag;

Authorizes the Secretary-General to adopt a flag code, having in mind the desirability of a regulated use of the flag and the protection of its dignity.

34. United Nations Day

[This resolution, which was adopted unanimously on October 31, declares that October 24, the anniversary of the coming into force of the Charter, is officially to be called United Nations Day and invites Members to cooperate in securing its observance.]

The General Assembly,

Declares that 24 October, the anniversary of the coming into force of the Charter of the United Nations, shall henceforth be officially called "United Nations Day" and shall be devoted to making known to the peoples of the world the aims and achievements of the United Nations and to gaining their support for the work of the United Nations;

Invites Member Governments to co-operate with the United Nations in securing observance of this anniversary.

35. Place of Meeting of Third Regular Session of the General Assembly

[By 32 votes to 17, with 5 abstentions, the Assembly on November 15 decided that the Third Regular Session of the General Assembly should be held in Europe and requested the Secretary-General, in consultation with a committee of nine members designated by the President of the Assembly, to choose the site for the Third Regular Session. The members are Australia, Byelorussian Soviet Socialist Republic, Ethiopia, India, Lebanon, the Netherlands, Norway, Panama, and Uruguay.]

The General Assembly,

CONSIDERING that, under the provisions of rule 5 of the provisional rules of procedure, the General Assembly may, in accordance with a decision adopted at a previous session, or at the request of the majority of the Members, be convened at a place other than United Nations Headquarters,

Decides that the third regular session of the General Assembly shall be held in Europe;

Requests the Secretary-General, in consultation with a committee of nine members, designated by the President of the General Assembly, to choose the town where the third regular session of the General Assembly shall be held.

Appendix II

SELECTED RESOLUTIONS CONSIDERED BY THE SECURITY COUNCIL, WITH SELECTED PAPERS ON ATOMIC ENERGY CONTROL, ARMED FORCES AND REGULATION OF ARMAMENTS

1. Resolution on the Corfu Channel Case

[The following resolution, recommending that the Governments of Albania and the United Kingdom refer their dispute to the International Court of Justice, was adopted by the Security Council April 9, by a vote of 8 to 0. Poland and the Union of Soviet Socialist Republics abstained; the United Kingdom, as a party to the dispute, did not participate in the vote.]

The Security Council

HAVING considered statements of representatives of the United Kingdom and of Albania concerning a dispute between the United Kingdom and Albania, arising out of an incident on 22 October 1946, in the Strait of Corfu in which two British ships were damaged by mines with resulting loss of life and injury to their crews,

Recommends that the United Kingdom and Albanian Governments should immediately refer the dispute to the International Court of Justice in accordance with the provisions of the Statute of the Court.

2. Resolutions on the Greek Case

[On June 27 the United States introduced a resolution based on the proposals of a majority of the members of the Balkan Commission of Investigation and proposing the establishment of a commission of the Council to assist in carrying out those proposals. As amended, this resolution was put to a vote on July 29 in the form set forth below. When voted upon individually, the preamble and separate articles were approved, the Union of Soviet Socialist Republics abstaining in each instance. In the final vote on the whole resolution, however, the Union of Soviet Socialist Republics, together with Poland, voted negatively, the Soviet veto defeating the resolution.]

The Security Council

HAVING primary responsibility for the maintenance of international peace and security by virtue of Article 24 of the Charter and

HAVING considered the report submitted by the Commission of In-

vestigation established by the Council's resolution of 19 December 1946,

Finds that a dispute exists, the continuance of which is likely to endanger the maintenance of international peace and security. The Security Council therefore, following the proposals made by the majority of the members of the Commission of Investigation,

Resolves that:

ARTICLE 1:

1. The Security Council recommend to the Governments of Greece on the one hand, and Albania, Bulgaria and Yugoslavia on the other, to establish as soon as possible normal good-neighborly relations, to abstain from all action, direct or indirect, which may be likely to increase or to maintain the tension and the unrest in the border areas, and rigorously to refrain from any support of elements in neighboring countries aiming at the overthrow of the lawful Government of those countries.

2. Giving support to armed bands formed in any of the four States concerned and crossing into the territory of another State, or refusal by any one of the four Governments in spite of the demands of the States concerned to take the necessary measures on its own territory to deprive such bands of any aid or protection, shall be avoided by the Governments of Albania, Bulgaria, Greece and Yugoslavia as a threat to the peace within the meaning of the Charter of the United Nations.

ARTICLE 2:

The Security Council recommend that the Governments of Albania, Bulgaria, Greece and Yugoslavia establish, as soon as possible, normal diplomatic relations among themselves.

ARTICLE 3:

The Security Council recommend to the Governments concerned that they enter into frontier conventions providing for effective machinery for the regulation and control of their common frontiers, and for the pacific settlement of frontier incidents and disputes.

ARTICLE 4:

As the presence of refugees in any of the four countries is a disturbing factor, the Security Council recommend to the Governments of Albania, Bulgaria, Greece and Yugoslavia that they:

(1) Remove such refugees as far from the country from which they came as is practically possible;

(2) Segregate them in camps or otherwise;

(3) Take effective measures to prevent their participation in any political or military activity.

The Security Council recommend that such camps be placed under the supervision of some international body authorized by the United Nations to undertake the task.

In order to ensure that only genuine refugees return to their country of origin, repatriation shall not take place except after arrangements with the Government of the country of origin and after notification to the Commission, established under this resolution, or to the international body authorized for this task by the United Nations.

ARTICLE 5:

The Security Council recommend to the Governments of Greece on the one hand and Albania, Bulgaria and Yugoslavia on the other, that they study the practicability of concluding agreements for the voluntary transfer of minorities. Until such agreements come into force, individuals belonging to a given minority in any of the countries concerned desiring to emigrate, should be given all facilities to do so by the government of the State in which they reside. The arrangements for any transfers under this paragraph should be supervised by the commission established under this resolution, which would act as a registration authority for any person desiring to emigrate.

ARTICLE 6:

The Security Council, for the purpose of restoring normal conditions along the frontiers between Greece, on the one hand, and Albania, Bulgaria and Yugoslavia on the other, and thereby assisting these countries in carrying out the recommendations of this resolution, establish a Commission as a subsidiary organ.

(*a*) The Commission shall be composed of a representative of each of the Nations members of the Security Council as they may be from time to time.

(*b*) The functions of the Commission shall be those of conciliation and investigation:

(1) To use its good offices to assist the governments concerned in the negotiation and conclusion of the frontier conventions recommended under this resolution.

(2) To study and make recommendations to the governments concerned with respect to such additional bilateral agreements between them for the pacific settlements of disputes relating to frontier incidents or conditions on the frontier as the Commission considers desirable.

(3) To assist in the implementation of the recommendations made to the four governments under this resolution with respect to refugees; to receive reports from the four governments with respect to persons who may cross or have crossed from the territory of any one of such countries to any of the others; to maintain a register for its confidential use of all such persons and to assist in the repatriation of those who wish to return to their homes, and in connection with these functions to act in concert with the appropriate agency of the United Nations.

(4) To assist the governments concerned in the negotiation and conclusion of arrangements for the transfer of minorities recommended to such governments under this resolution and in this connection to supervise such transfers and to act as a registration authority for any persons desiring to emigrate.

(5) To use its good offices for the settlement, by the means mentioned in Article 33 of the Charter, of:

(a) Controversies arising from frontier violations;
(b) Controversies directly connected with the application of the frontier conventions recommended to the four governments under this resolution;
(c) Complaints regarding conditions on the border which may be brought to the attention of the Commission by one government against another.

(6) In order to keep the Security Council informed, the Commission shall:

(a) Whenever it may deem it useful, investigate any alleged frontier violations;
(b) Investigate complaints by any of the governments concerned with respect to conditions on the border whenever, in its opinion, these conditions are likely to lead to a deterioration of the situation.

Its authority with respect to investigation shall be identical to that vested in the Commission established under the resolution of the Security Council of 19 December 1946.

(*c*) The Commission shall have its headquarters in Salonika.

(*d*) The Commission shall be accredited as an Organ of the Security Council, to the Governments of Albania, Bulgaria, Greece and Yugoslavia, and shall have the right of direct access to them. The Commission shall perform its tasks on either side of the border with the co-operation of the officials and nationals of the four Governments concerned.

(*e*) The Commission shall establish its own rules of procedure and methods of conducting its business.

(*f*) The Commission shall render regularly quarterly reports to the Security Council, or more frequently if it thinks fit.

(*g*) The Commission shall have the staff necessary to perform its functions and shall have authority to appoint suitable persons able to act as border observers and to report on the observance of the frontier conventions recommended under this resolution, the state of the frontier area, and cognate matters.

(*h*) The Commission shall commence its work as soon as practicable after 1 September 1947. It shall remain in existence until 31 August 1949. The establishment of the Commission in Salonika will put an end to the Commission of Investigation established by the resolution of the Council of 19 December 1946 and to the Subsidiary Group thereof, established by the resolution of 30 April 1947.

ARTICLE 7:

The Security Council, conscious of the gravity of the situation, appeals to the Governments of Albania, Bulgaria, Greece and Yugoslavia, calling upon them by their loyal co-operation in the measures proposed above to contribute to the extent of their ability to the re-establishment of peaceful conditions in the area concerned.

[The following resolution, introduced by Australia, described the situation along the northern border of Greece as a threat to the peace, thus invoking Chapter VII of the Charter relating to enforcement action, called upon the four parties to cease all acts of provocation, and directed them to enter at once into direct negotiation in an endeavor to relieve the existing tension. Put to a vote on August 19, the resolution received nine affirmative votes and the negative votes of Poland and the Union of Soviet Socialist Republics. Because of the Soviet veto, it failed of adoption.]

The Security Council

HAVING RECEIVED AND CONSIDERED the report of the Commission of Investigation established by the resolution of the Council dated 19 December 1946,

1. *Determines* that the situation on the northern borders of Greece constitutes a threat to the peace under Article 39 of the Charter of the United Nations,

2. *Calls* upon the parties involved, namely Greece, Albania, Yugoslavia and Bulgaria, to cease all acts of provocation,

3. *Directs*, in accordance with Article 40 of the Charter of the United Nations, that Greece on the one hand, and Albania, Yugoslavia and Bulgaria on the other hand, should at once enter into di-

rect negotiation in an endeavour to relieve the tension at present existing and with a view to the resumption of normal and peaceful diplomatic relations,

4. *Calls* upon the Governments concerned to report before 6 September 1947 the steps taken to give effect to this resolution.

To ensure that this decision is put into effect there shall be appointed observers with the duty of reporting direct to the Security Council.

[The following resolution introduced by the United States on August 12 described the activities of Albania, Bulgaria, and Yugoslavia as a threat to the peace within the meaning of Chapter VII of the Charter and called upon those countries to cease and desist from those activities and to cooperate with Greece in the pacific settlement of their dispute. This resolution likewise received the favorable vote of all members of the Council except Poland and the Union of Soviet Socialist Republics, who voted negatively. Again the Soviet veto prevented adoption of the resolution.]

The Security Council

HAVING CONSIDERED the report of the Commission of Investigation established by resolution of the Council of 19 December 1946, and having considered the information supplied by the Subsidiary Group of the Commission of Investigation and the oral and written statements made to the Council by Albania, Bulgaria, Greece and Yugoslavia;

Finds that Albania, Bulgaria and Yugoslavia have given assistance and support to the guerrillas fighting against the Greek Government and have continued to do so subsequent to the period covered by the report of the Commission of Investigation;

Determines that such assistance and support to the guerrillas by Albania, Bulgaria and Yugoslavia constitutes a threat to the peace within the meaning of Chapter VII of the Charter;

Calls upon Albania, Bulgaria and Yugoslavia to cease and desist from rendering any further assistance or support in any form to the guerrillas fighting against the Greek Government;

Directs the Subsidiary Group to report to the Security Council on the compliance of Albania, Bulgaria and Yugoslavia with this order;

Calls upon Albania, Bulgaria and Yugoslavia to co-operate with Greece in the settlement of their disputes by peaceful means and to keep the Security Council informed of the progress of the settlement.

The Security Council remains seized of the question and will take such further action in connection with the enforcement of its order and the settlement of the dispute as may from time to time be necessary.

3. Resolutions on the Indonesian Case

[The following resolution was adopted by the Security Council on August 1. The preamble was approved by a vote of 7 to 0, Belgium, France, the Union of Soviet Socialist Republics, and the United Kingdom abstaining. Paragraphs (*a*) and (*b*) were both approved 8 to 0, Belgium, France, and the United Kingdom abstaining.]

The Security Council

NOTING with concern the hostilities in progress between the armed forces of the Netherlands and the Republic of Indonesia,

Calls upon the parties

(*a*) to cease hostilities forthwith, and

(*b*) to settle their disputes by arbitration or by other peaceful means and keep the Security Council informed about the progress of the settlement.

[The following resolution, requesting the career consuls in Batavia of Security Council members to report jointly on compliance with the Council's cease-fire orders of August 1 and on conditions in Java and Sumatra, was adopted by the Council on August 25, 1947, by a vote of 7 to 0, Colombia, Poland, the United Kingdom, and the Union of Soviet Socialist Republics abstaining.]

WHEREAS the Security Council on 1 August 1947, called upon the Netherlands and the Republic of Indonesia to cease hostilities forthwith,

AND WHEREAS communications have been received from the Governments of the Netherlands and of the Republic of Indonesia advising that orders have been given for the cessation of hostilities,

AND WHEREAS it is desirable that steps should be taken to avoid disputes and friction relating to the observance of the "cease fire" orders, and to create conditions which will facilitate agreement between the parties.

The Security Council

1. *Notes* with satisfaction the steps taken by the parties to comply with the resolution of 1 August 1947,

2. *Notes* with satisfaction the statement by the Netherlands Government issued on 11 August, in which it affirms its intention to organize a sovereign, democratic United States of Indonesia in accordance with the purpose of the Linggadjati Agreement,

3. *Notes* that the Netherlands Government intends immediately to request the career consuls stationed in Batavia jointly to report on the present situation in the Republic of Indonesia,

4. *Notes* that the Government of the Republic of Indonesia has re-

quested appointment by the Security Council of a commission of observers,

5. *Requests* the Governments members of the Council who have career consular representatives in Batavia to instruct them to prepare jointly for the information and guidance of the Security Council reports on the situation in the Republic of Indonesia following the Resolution of the Council of 1 August 1947, such reports to cover the observance of the "cease fire" orders and the conditions prevailing in areas under military occupation or from which armed forces now in occupation may be withdrawn by agreement between the parties,

6. *Requests* the Governments of the Netherlands and of the Republic of Indonesia to grant to the representatives referred to in paragraph 5, all facilities necessary for the effective fulfilment of their mission,

7. *Resolves* to consider the matter further should the situation require.

[On August 25 the Council also adopted the following resolution, offering to the disputants the good offices of the Council through a three-nation committee of the Council. The vote was 8 to 0, Poland, Syria, and the Union of Soviet Socialist Republics abstaining.]

The Security Council

Resolves to tender its good offices to the parties in order to assist in the pacific settlement of their dispute in accordance with paragraph (*b*) of the Resolution of the Council of 1 August 1947. The Council expresses its readiness, if the parties so request, to assist in the settlement through a committee of the Council consisting of three members of the Council, each party selecting one, and the third to be designated by the two so selected.

[By the following resolution, adopted on August 26 by a vote of 10 to 0, the United Kingdom abstaining, the Security Council called upon the parties to adhere to the Council's cease-fire order of August 1.]

The Security Council

TAKING into consideration that military operations are being continued on the territory of the Indonesian Republic:

1. *Reminds* the Government of the Netherlands and the Government of the Indonesian Republic of its resolution of 1 August 1947, concerning the "cease fire order" and peaceful settlement of their dispute;

2. *Calls* upon the Government of the Netherlands and the Government of the Indonesian Republic to adhere strictly to the recommendation of the Security Council of 1 August 1947.

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[The following resolution was adopted by the Security Council on October 3 by a vote of 9 to 0, Poland and the Union of Soviet Socialist Republics abstaining.]

The Security Council *resolves*

That the Secretary-General be requested to act as convenor of the Committee of Three and arrange for the organization of its work; and

That the Committee of Three be requested to proceed to exercise its functions with the utmost dispatch.

[The Consular Commission having reported that no attempt had been made by either party to give effect to the Security Council resolution of August 1, the Council on November 1 passed the following resolution providing an interpretation of its cease-fire order of August 1. The resolution advised the parties that the use by either of its armed forces in order to extend by hostile action its control over territory not occupied by it on August 4, 1947, was inconsistent with the Council's resolution of August 1. Further, it called upon the parties to meet together and make arrangements to give effect to the cease-fire resolution and for the Committee of Good Offices, with the assistance of the career consuls, to aid the parties in reaching such agreement.]

The Security Council,

HAVING received and taken note of the Report of the Consular Commission dated 14 October 1947, indicating that the Council's resolution of 1 August 1947, relating to the cessation of hostilities, has not been fully effective;

HAVING taken note that according to the Report no attempt was made by either side to come to an agreement with the other about the means of giving effect to that resolution;

Calls upon the parties concerned forthwith to consult with each other, either directly or through the Committee of Good Offices, as to the means to be employed in order to give effect to the cease-fire resolution, and, pending agreement, to cease any activities or incitement to activities which contravene that resolution, and to take appropriate measures for safeguarding life and property;

Requests the Committee of Good Offices to assist the parties in reaching agreement on an arrangement which will ensure the observance of the cease-fire resolution;

Requests the Consular Commission, together with its military assistants, to make its services available to the Committee of Good Offices;

Advises the parties concerned, the Committee of Good Offices, and the Consular Commission that its resolution of 1 August should be interpreted as meaning that the use of the armed forces of either party by hostile action to extend its control over territory not occupied by it on 4 August 1947, is inconsistent with the Council resolution of 1 August.

Should it appear that some withdrawals of armed forces be necessary, invites the parties to conclude between them as soon as possible the agreements referred to in its resolution of 25 August 1947.

4. Summary of Principal Subjects To Be Incorporated in Specific Proposals for the International Control of Atomic Energy as Adopted at the Thirteenth Meeting of Committee 2 of the Atomic Energy Commission on April 10, 1947

A. Subjects required to establish the initial framework of a draft treaty or convention (many of these subjects might be discussed concurrently).

1. Definition of terms to be used in the treaty.
2. Operational and developmental functions of the international agency and its relation to planning, co-ordination, and direction of atomic (energy) activities.

(*a*) Functions of the international agency in relation to research and developmental activities.
(*b*) Functions of the international agency in relation to location and mining of ores.
(*c*) Functions of the international agency in relation to processing and purification of source material.
(*d*) Functions of the international agency in relation to stockpiling, production, and distribution of nuclear fuels.
(*e*) Functions of the international agency in relation to design, construction, and operation of isotope separation plants.
(*f*) Functions of the international agency in relation to design, construction, and operation of reactors.
(*g*) Rights of and limitations on the agency and its personnel in respect to inspection, operation, and other control functions.

3. Organization and administration of the international agency.

(*a*) Organizational structure.
(*b*) Relations to other organs of the United Nations, to other international agencies, and to individual nations and their national agencies.
(*c*) Status of the agency and its personnel in its operations within individual nations.
(*d*) Definition of types of operating decisions subject to review and those not subject to review.
(*e*) Determination of review body or bodies and of principles governing review.

B. Subjects which can only be discussed effectively in the framework of decisions reached on subjects listed in A above.

1. Principles governing geographical location of dangerous activities and stockpiling.

2. Financial and budgetary organization.
   (*a*) Determination of sources of funds and types of expenditures.
   (*b*) Estimates of financial burden to be borne by individual nations.
   (*c*) Principles governing allocation of expenses to individual nations.
   (*d*) Principles governing financing of both facilities owned and facilities not owned by the Agency.

3. Prohibitions and enforcement.
   (*a*) Definition of individual and national prohibitions.
   (*b*) Examination of the nature of direct international jurisdiction over individuals and the principles governing the applicaton of individual punishments.
   (*c*) Examination of the problems related to the application of sanctions against nations, including the "veto" problem.
      (i) Method of determining violations.
      (ii) Application of economic and other non-military sanctions.
      (iii) Application of military sanctions.

4. Examination of the stages by which transition will be accomplished from conditions of national control to the final conditions of predominantly international control.

5. Statement Made by the Representative of the United States [8] at the Thirty-first Meeting of Committee 2 of the Atomic Energy Commission on August 6, 1947

The test of any proposals for the control of atomic energy is whether they fulfil the terms of reference of the Atomic Energy Commission.

The First Report of the Atomic Energy Commission represented one step in the process of developing proposals to meet these terms of reference. We have engaged in Committee 2 during the recent months in developing and detailing proposals in order to present a clearer picture of the functions of an international agency, which would be able to prevent preparation for atomic warfare by removing national rivalries in the field of atomic energy, which would give timely warn-

[8] Frederick H. Osborn.

ing to complying states of any breach of a treaty, and which would dispel suspicions and lessen the fear now abroad in the world.

Nothing is more evident to me than the need to present to all nations clearly and without delay the character of an international organization which can afford security. I think that, as a group, the Committee made tremendous strides in the right direction.

As I have studied the Soviet Union proposals of 11 June over the past weeks, and as I have compared them with the First Report of the Atomic Energy Commission and with the six papers just presented to this Committee, I am struck with the fact that the Soviet Union proposals add up to continued control of atomic energy along national lines plus a form of limited inspection. This falls short of any fulfilment of the terms of reference of the Atomic Energy Commission.

In an effort to understand the Soviet Union proposals, I have sought to compare the relevant portions with the Committee working papers on research, on the location and mining of ores, on processing and purification, on the production of nuclear fuel, and on inspection. I want to discuss the results of my comparison.

(*a*) *Research*

On the subject of research, the Soviet Union proposals of paragraph 8 seem to recognize the need for an international control agency to carry out research with its own personnel in its own facilities. There is agreement that a full and constant exchange of information is to be fostered by the terms of the treaty. They agree that the agency is to encourage and assist nations to initiate and conduct research and development. I must note, however, that the Soviet Union proposals make no provision for control of national research or development activities of a dangerous character. An important question of principle is involved here, for the group paper on research, document AEC/C.2/36/Rev. 2, while recognizing that research involving small quantities of nuclear fuel would be subject to control only when necessary for security, also recognizes clearly that experimental activities requiring or producing nuclear fuel in dangerous quantities must be prohibited, in the interests of security, to nations or persons.

(*b*) *Location and Mining of Ores*

On the subject of mining, parts of paragraphs 5, 6, and 7 of the Soviet Union proposals suggest that the international agency shall have the right of access to mining facilities, shall investigate the activities of such facilities, shall check the existing stocks of materials, and shall have the right to carry out weighings, measurements, and various analyses. In addition, it is stated that the agency shall periodically inspect mining facilities. Although these proposals ap-

pear to bear some similarity to certain specific proposals in document AEC/C.2/37/Rev. 2, they are based on an entirely different concept of the nature of the international agency. The Soviet Union proposals fail to recognize the basic principle that only the international agency will use large quantities of source materials. By leaving these materials in national hands, they would accentuate national rivalries.

I must also note that the Soviet Union proposals make no mention of one of the most fundamental and important positive functions of the agency in this connection—that of obtaining and maintaining as complete and accurate information as possible on world supplies of source material. This is a most serious difference since, in a large sense, all international control of atomic energy depends on the early acquisition of adequate knowledge of world resources by the agency. The effectiveness of the powers and duties of the agency are dependent on strict controls over source materials.

(*c*) *Processing and Purification*

There is little mention in the Soviet Union proposals of the subject of processing and purification of source materials. As I read paragraphs 6 and 7 of the proposals, I understand that the agency would have the right of access to any facilities for the production and stockpiling of atomic materials. Assuming that the term "atomic materials" includes the products of refineries and chemical and metallurgical plants, the agency would check existing stocks of unfinished products, would collect and analyze data on the production of these materials, and would have the right to carry out weighing, measurements, and various analyses of the materials. The same provisions appear to apply to refineries and chemical and metallurgical plants as would apply to mines. These proposals are very different in intent from the specific proposals embodied in document AEC/C.2/38/Rev. 2, since there are no provisions for licensing or controlling any processing plant other than by unspecified inspection procedures. This difference, like the others, is one of principle.

(*d*) *Production and Distribution of Nuclear Fuel*

So far as production facilities for nuclear fuel are concerned, the Soviet Union proposals include periodic inspection, verification of accounting, and checking existing stocks of atomic materials, which I assume to include nuclear fuel. In addition, it is proposed in paragraph 1 that "there shall be established strict international control simultaneously over all facilities engaged in . . . production of atomic materials and atomic energy".

What is this strict international control? Is it inspection? The majority of this Committee has affirmed in the first report and re-

affirmed on many occasions the principle that an international agency functioning on the basis of police-like inspectorial powers can never provide the security required by our terms of reference. This is the heart and core of this problem. This vital difference is reflected in all of the Soviet Union proposals. I see no hope of reconciling the concept of an international agency performing positive functions of operation and management with the concept of nations performing the functions of operation and management and an agency attempting by inspection to meet the requirements of security.

I note that it is further proposed by the Soviet Union in paragraph 6 (d) that the international agency "observes the fulfilment of the rules of technical exploitation of the facilities prescribed by the convention on control as well as works out and prescribes the rules of technological control of such facilities."

What are these rules of exploitation and control? They are certainly vague as compared to the specific proposals set forth in document AEC/C.2/39/Rev.2 to govern production of nuclear fuel. In the same regard, I see that the Soviet Union proposes in paragraph 6 (g) that the agency shall make recommendations to governments on questions relating to production, stockpiling, and use of atomic materials and atomic energy, and also in paragraph 7 (f) that the agency shall have the right to make recommendations and presentations to governments on the matters of the production and use of atomic energy. These two provisions appear to be virtually the same and appear to visualize a world in which individual nations would determine for themselves policies for the production of nuclear fuel. That would not be a world secure from the dangers of sudden atomic warfare—that would be a world of national rivalries in all fields involving atomic energy.

(*e*) *Rights of and Limitations on Inspection*

Of all the safeguards found necessary in the first report, inspection is the only one which the Soviet Union has expressed a willingness to consider. But when we come to examine the only Soviet Union proposals which have been made on this subject during the year of existence of the Atomic Energy Commission, we find only vague and general statements. The kind of inspection contemplated would seem to apply only to facilities which nations themselves reported to the international agency. There is not even any definite requirement for nations to make such reports. The question of clandestine or unreported facilities seems to be completely ignored in the Soviet Union proposals. No provision is made for international surveys or explorations to locate unreported deposits or mines containing source material. No provision is made for surveys or inspections to detect clan-

destine mills, refineries, processing plants, nuclear reactors, or isotope separation plants. Complying states would not be protected against the hazards of violations and evasions, as called for in the terms of reference given us by the General Assembly.

This should be contrasted with the proposals contained in document AEC/C.2/61/Rev.1. The working group devoted two months of careful and exhaustive study to this matter. The Soviet Union Representative was invited to participate, but he refused. The document produced makes very definite and specific proposals as to the rights of inspection, survey, and exploration which the international agency must have, the limitations on these rights, and the procedures to be followed. It represents a serious and sincere effort on the part of all who participated to provide necessary inspection while at the same time giving nations protection against unwarranted interference.

In summary, the Soviet Union proposals seem to me quite inadequate in their provisions and obviously based on the concept of predominantly national control of what is generally recognized as the most dangerous field of activity in the world today. Fourteen months have been spent in a study of the problem, and ten of the nations represented in this group have concluded that to leave activities involving dangerous quantities of source materials or nuclear fuel in national hands is entirely inconsistent with world security. These same nations have recognized that the need for effective international control transcends the claims of national sovereignty in the field of atomic energy.

It is my opinion, and I believe the majority here joins in the opinion, that any international control system based on the concept underlying the Soviet Union proposals would be wholly inacceptable. We of this Commission would fall short of our clear duty if we allowed the people of the world to believe that such a system could possibly afford security.

6. Resolution Concerning the Implementation of the Resolutions of the General Assembly Regarding the Principles Governing the General Regulation and Reduction of Armaments and Information on Armed Forces of the United Nations

[This resolution was passed by the Security Council on February 13 to carry out the terms of a request from the General Assembly that the Council formulate practical measures for the general regulation and reduction of armaments and armed forces. The Security Council herein resolved to expedite the work of the United Nations Atomic Energy Commission and to establish a commission to formulate plans for the regulation of conventional armaments (i.e. not atomic weapons or weapons of mass destruction) which the Commission was charged to submit to the Security Council for approval. The Council specified

that the new Commission for Conventional Armaments was not to encroach on the field already reserved to the United Nations Atomic Energy Commission. Finally, and as a matter of urgency, the Council requested from the Military Staff Committee a progress report concerning basic principles to govern the organization of armed forces placed at the disposal of the Council. The resolution was adopted by 10 votes, with none against and one abstention (the Union of Soviet Socialist Republics).]

The Security Council, having accepted the resolution of the General Assembly of 14 December 1946 and recognizing that the general regulation and reduction of armaments and armed forces constitute a most important measure for strengthening international peace and security, and that the implementation of the resolution of the General Assembly on this subject is one of the most urgent and important tasks before the Security Council,

Resolves:

1. to work out the practical measures for giving effect to the resolutions of the General Assembly on 14 December 1946 concerning, on the one hand, the general regulation and reduction of armaments and armed forces, and the establishment of international control to bring about the reduction of armaments and armed forces and, on the other hand, information concerning the armed forces of the United Nations;

2. to consider as soon as possible the report submitted by the Atomic Energy Commission and to take suitable decisions in order to facilitate its work;

3. to set up a Commission consisting of representatives of the Members of the Security Council with instructions to prepare and to submit to the Security Council within the space of not more than three months, the proposals:

(*a*) for the general regulation and reduction of armaments and armed forces and

(*b*) for practical and effective safeguards in connection with the general regulation and reduction of armaments

which the Commission may be in a position to formulate in order to ensure the implementation of the above-mentioned resolutions of the General Assembly of 14 December 1946, insofar as these resolutions relate to armaments within the Commission's jurisdiction.

The Commission shall submit a plan of work to the Council for approval.

Those matters which fall within the competence of the Atomic Energy Commission as determined by the General Assembly Resolution of 24 January 1946 and 14 December 1946 shall be excluded from the jurisdiction of the Commission hereby established.

The title of the Commission shall be the Commission for Conventional Armaments.

The Commission shall make such proposals as it may deem advisable concerning the studies which the Military Staff Committee and possibly other organs of the United Nations might be asked to undertake.

4. to request the Military Staff Committee to submit to it, as soon as possible and as a matter of urgency, the recommendations for which it has been asked by the Security Council on 16 February 1946 in pursuance of Article 43 of the Charter, and as a first step, to submit to the Security Council not later than 30 April 1947, its recommendations with regard to the basic principles which should govern the organization of the United Nations Armed Force.

7. Plan of Work Adopted by the Commission for Conventional Armaments

1. Consideration of and recommendation to the Security Council concerning armaments and armed forces which fall within the jurisdiction of the Commission for Conventional Armaments.

2. Consideration and determination of general principles in connection with the regulation and reduction of armaments and armed forces.

3. Consideration of practical and effective safeguards by means of an international system of control operating through special organs (and by other means) to protect complying states against the hazards of violations and evasions.

4. Formulation of practical proposals for the regulation and reduction of armaments and armed forces.

5. Extension of the principles and proposals set forth in paragraphs 2, 3, and 4 above to states which are not Members of the United Nations.

6. Submission of a report or reports to the Security Council including, if possible, a draft convention.

It is proposed that under the six headings listed above all of the references by the various delegations suggested for the Plan of Work will be considered.

It is also understood that this Plan of Work does not limit the freedom of individual delegations to make additional suggestions at a later time.

Appendix III

SELECTED ADDRESSES BY UNITED STATES REPRESENTATIVES

Faith and Fidelity—American Pledge to the United Nations

BY SECRETARY OF STATE GEORGE C. MARSHALL

Before the American Association for the United Nations, September 14, 1947

I am glad to participate in the opening of United Nations Week.

The interest and the sense of public responsibility shown by the American Association for the United Nations and the scores of other national organizations which have joined in preparing this week of public education in the work of the United Nations is deserving of commendation. It should result in a deepened understanding of the purposes, the accomplishments, and the difficulties of the United Nations and a more understanding determination on the part of the American people to make it succeed.

The General Assembly will convene at Flushing Meadows on Tuesday for its second regular session. Delegates from the 55 member states are now arriving in this country for this meeting. They will receive a warm and cordial welcome from our people, who will follow their work with close and sympathetic attention. The Assembly will consider a number of unusually complex political problems, including those relating to Greece and Palestine, for which solutions must be found. There are already approximately 80 items on the agenda, with still others to be raised in the course of debate.

It is important that the peoples of the world should turn their eyes toward the United Nations while the General Assembly is in session. It is particularly important that the people of the United States closely follow the proceedings and gain a full appreciation of the nature of the problems faced by the General Assembly. The broad outlines of our foreign policy are determined by our citizens. The American people, fortunately, are free to speak out on matters of policy. They vote; they form their own opinions; and they organize themselves into innumerable groups to give expression to their views.

Through a free press and radio and through the film and other means of communications, they have full access to all shades of thought and opinion.

In order that the conclusions of the American public will be firmly based upon fact and upon mature reflection and realistic consideration of the issues involved, it is of importance that all sources of information and aids to the enlightenment of public opinion be used to the full. We are faced with policy questions which are baffling and far-reaching. Even when all the facts are available it is seldom easy to reach a decision with complete certainty that the right decision has been made. Without the facts, sound judgment of the issues is impossible.

This is why your endeavors deserve the support of all those who work for a peaceful world. The achievements of your organizations in the past have been truly remarkable. Without your help and the help of like-minded people in other parts of the world, the United Nations might not have come into existence. Without such continued help, it can only have a limited future. There is still much to be done and it is of the utmost importance that it be done.

A recent survey of public opinion revealed that one out of three people in the United States still does not know what the United Nations is and what it does. The same study showed that only one in five knows what is meant by the veto.

The problem of creating a broad understanding of the many specific issues before the United Nations bodies is particularly great. The annual report of the Secretary-General to the General Assembly shows that from July 1, 1946, through June 30, 1947, the General Assembly held 443 plenary and committee meetings, the Security Council 347, the Economic and Social Council 168, the Trusteeship Council 56, and other United Nations bodies 897, or a total of 1,911 meetings in one year. The most cursory glance at the subjects discussed at these meetings indicates that as Americans we are concerned with almost every topic dealt with. The entire range of our foreign policy is involved.

To do our share in the work of the United Nations the Government of the United States must operate as an effective team under the leadership of the President. Almost every department and agency of the Executive branch of the Government is necessarily involved. Congress, too, is heavily involved in international matters and plays a determinant role in the implementation of our foreign policies from the financial point of view.

But the American public plays the decisive role. They set the objectives, they select the principal officers of Government, and they weigh and criticize results. That is the democratic process. If it is

to be fully effective, the public needs leadership—not only the leadership of formally elected and appointed officers of Government but the leadership of informed and discerning men and women in each community throughout the country. This is preeminently the role of the organizations which are cooperating in this United Nations Week.

The Department of State welcomes public scrutiny of its efforts and the criticism which helps us to check the wisdom of our actions. We try in every possible way to find out what the American public thinks about the great issues before us and to explain to them what we think and do about them. Many of you have participated in the regular meetings we have organized with representatives of national organizations. Many of you have spoken to officers of the State Department, who are all available for consultation. Letters from organizations and individuals, which we receive in great numbers, are carefully studied. No organization or individual expressing opinions or judgments on important public issues should conclude that such views are of no interest or assistance. The contrary is the case.

Let me urge you, therefore, that you continue throughout the year activities of the type which you have developed for this United Nations Week.

We learned during the recent war that every household, every farm, every village, and every business is deeply involved in the great problems of peace and security for the solution of which we have established the United Nations. These same problems, and the efforts to meet them in the United Nations, therefore require intelligent attention in all of our schools, our churches, our civic, business, and social organizations—wherever, in fact, citizens gather to discuss their vital interests.

We Americans must obtain a clear understanding of the role which we ourselves are called upon to play in the United Nations. We must understand the roles which others are playing or are failing to play. We must continually remind ourselves that the United Nations succeeds or fails according to the conduct of the members themselves and their willingness to act in accordance with the Charter. We must become familiar with the terms of the Charter. I think this might well be included in the curriculum of our high schools and colleges.

The limitations inherent in this great organization for the preservation of peace should be made clear to our citizens. We make a grave error to suppose that every international problem should be handled by the United Nations. Actually, this would neither be desirable nor practicable. The American Government, for example, is conducting negotiations continuously with every recognized government in the world on hundreds of subjects. Other governments are doing the same. The great majority of these matters are satisfactorily settled

by mutual agreement between the parties directly concerned. Nothing would be gained and much would be lost by complicating the procedures of day-to-day negotiation by multiplying machinery where simple methods suffice.

Even in cases of international disputes the continuance of which might endanger the maintenance of peace and security—in other words, in matters of primary interest to the United Nations—the Charter enjoins the parties *first of all* to seek solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. Clearly this means that parties to disputes should use such peaceful means in good faith and in a spirit of mutual accommodation. Recourse to United Nations agencies in such matters may constitute an abuse of the Charter if the purpose be merely to better a bargaining position, to obtain a larger forum for propaganda, or to create greater rather than less international friction. Ultimately, of course, the United Nations is there and should be freely used where a basis for agreement does not exist and action or advice of the United Nations is needed for the maintenance of good relations.

Those who would understand its functions must also be aware of the part which is to be played by the specialized agencies which are now being related to the United Nations under the general coordination of the Economic and Social Council. These agencies are designed to encourage international cooperation in specific fields; they are not, in general, agencies with extensive resources of their own or with direct responsibility for the execution of policy within the United Nations, although some have important operating functions. Some of them, such as the International Labor Organization, have long histories of accomplishment in the international field; others, such as the proposed International Trade Organization, to be considered at the forthcoming International Trade Conference in Habana in November of this year, are very young indeed. Others, such as the International Refugee Organization, are envisaged as temporary agencies to be disbanded when a particular job is done. The International Bank for Reconstruction and Development and the International Monetary Fund are agencies with direct operational responsibilities in a particular field.

I have touched upon these matters merely as reminders that an intelligent participation by the United States in the United Nations requires persistent effort by our citizens and by organizations such as yours. I will turn now to the relation between the United Nations and the foreign policy of the United States.

The President and other responsible Americans have on many occasions declared that support for the United Nations is the corner-

stone of our foreign policy. On this we are a united people, without party or regional differences.

Our "fidelity to the United Nations"—to use the words of the President in his recent address to the Inter-American Conference at Rio—goes deep. Our faith in the United Nations has its roots in the basic moral values and spiritual aspirations of the American people. These aspirations of ours are identical with the purposes and principles of the Charter. The late President Roosevelt had this in mind when he spoke of freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear—*everywhere* in the world.

How do we translate these general principles into practical terms? What precisely does our support for the United Nations mean?

First, it means that we ourselves must faithfully live up to our obligations under the Charter.

Second, it means that our public acts must be consistent with the Charter, whether they are carried out through the United Nations or through other means.

Third, it means that we must refer to the United Nations problems which have failed of solution by other peaceful means and which require solution under the Charter.

Fourth, it means that we must work persistently and loyally within the several organs and agencies within the United Nations toward the successful accomplishment of their assigned tasks.

Fifth, it means that we must seek to improve the procedures and machinery of the United Nations organization itself and to join with others in providing the resources which are necessary for its efficiency.

Sixth, it means that we must join with other members to make it unmistakably clear that aggression against the territorial integrity or political independence of others will be resisted by the combined efforts of the members of the United Nations.

Seventh, it means that we must exert every possible effort to conclude the remaining peace treaties, thereby creating the normal conditions under which the United Nations was designed to function. It is intended—that is, the United Nations—to maintain peace, not to make peace, after this war.

Eighth, it means that we join with others in seeking to improve the world's economic situation, to bring about the economic conditions necessary to international stability.

These are clear rules for our conduct; in fact they accurately reflect our national policy.

We have heard in this country, particularly in recent months, expressions of concern about the future of the United Nations. I do not believe that it stems from lack of confidence in the possibilities of the

United Nations organization or in its technical efficiency. This apprehension is caused rather by doubt as to whether all members are willing to adjust their national policies to the common interest of all humanity. This common interest is expressed in article after article of the Charter, enjoining its members to pursue in their international conduct the principles and purposes of the Charter. I can of course speak only for the United States. I have, I hope, made it clear that our national policies will continue to conform to these principles and purposes. Obviously, if all members do not similarly strive to meet their obligations under the Charter, the United Nations will be imperiled.

The forthcoming session of the General Assembly may begin a new phase in the life of the United Nations. During the course of this session, on October 24, the second anniversary of the coming into force of the Charter will be celebrated. These two years have, to a very considerable extent, been taken up with the work of organization and with the development of techniques and procedures. With the establishment of the Trusteeship Council in March and April of this year, the major organizational development of the United Nations was completed.

During these two years of birth and growth, governments and peoples have been slow to criticize and have shown commendable sympathy toward the initial efforts of this new world organization for peace and security. That initial period is coming to an end. Our work will now be subjected to more critical examination. Apprehension and anxiety over the future of the United Nations reflect insecurity about the aims and intentions of the members themselves. There is genuine danger that our hopes of two years ago will give way to skepticism.

The General Assembly is the forum in which this skepticism must be forestalled and the forum in which our disagreements must be resolved. The great moral and political forces of the world must somehow be brought to bear with full effect through the General Assembly.

Within a few days' time the United States Delegation will be making a number of proposals to the General Assembly, which we believe will help to resolve some of the issues which are now disturbing good relations among nations. You will appreciate that presentation of these proposals must await the meeting of the Assembly. However, I believe you will be interested in two or three general considerations which bear upon our work in the coming General Assembly.

We are not unalterably opposed to every proposal for a revision

of the Charter, although we believe that there is at the present time no need for major revisions of the Charter or for a change in the general character of the United Nations.

Many articles of the Charter have not yet been brought into play and given life and meaning by practical application. None of the principal organs has as yet fully exerted the authority and influence which are possible under the existing Charter. The members themselves as represented in the General Assembly have by no means exhausted the potentialities of the Charter in finding ways and means of overcoming obstruction and of meeting their common problems. While we might be willing to accept certain amendments to the Charter, we believe that rapid progress can be made in the immediate future within the general framework which we now have, and we shall ourselves make proposals for utilizing more fully existing machinery.

In the meantime, there are serious matters in the political and security field which require prompt action by the Assembly. We are particularly concerned with the aid and assistance which are being provided by Yugoslavia, Bulgaria, and Albania to the guerrillas in Greece—a direct threat to the territorial integrity and political independence of that country. We seek nothing in that situation but the protection of the Greek people which is their due under the Charter. We have no interest beyond the pacification of that troubled area. The solution must be the cessation of the threat—and we earnestly hope that the General Assembly will be able to devise means for accomplishing that end.

The matter of Palestine will be before the forthcoming Assembly for solution. We believe that the techniques which have been used by the Assembly thus far in dealing with this question have been soundly conceived. After preliminary consideration, the General Assembly established a commission of representatives of disinterested states which has inquired into the problem and reported its conclusions and recommendations to the Assembly. We believe that it is of the greatest importance that every effort be made to obtain maximum agreement in the General Assembly on a solution for that problem and that the peoples directly concerned will accept the recommendations of the coming General Assembly as a basis for a definitive solution of this complex matter.

Throughout the General Assembly the United States Delegation will be motivated by a desire to develop the United Nations as the central organization for the maintenance of international peace and the promotion of international cooperation. We do not look upon it as a handy instrument for obtaining temporary national advantage. We

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have no desire to slip back upon the road to international anarchy out of which we have been hoping we are beginning to emerge. We look forward to the early admission into the United Nations of the remaining nations which might now be qualified for membership. If the United Nations is to serve the genuine self-interest of all members over the longer period and if it is to be, as suggested in article 1 of the Charter, a center for harmonizing the actions of nations, we believe that its world-wide membership must be preserved as far as possible in accordance with its original design.

It would be a sore, a tragic disappointment if experience should prove that the harmony which was achieved at San Francisco was only temporary. We find it difficult to believe that members of the organization would deliberately seek to destroy its structure by persistence in acts of aggression or by obstruction of a nature to paralyze the principal organs of the organization.

Our own attitude and sense of responsibility will have much to do with the success of the coming General Assembly. Under the pressure of our war effort we developed in this country a laudable impatience for obstacles which stood between us and the attainment of victory, obstacles which were removed by an application of astonishing energy, ingenuity, and singleness of purpose. The problems of peace require moral courage and stern determination, but they also demand patience and deliberation if we are to find a common agreement upon which a lasting peace can be found.

In reflecting upon our own experience, the American constitutional development, we find that even where we were one people and there were generally agreed objectives, a long time, much of forbearance, and a willingness to compromise were needed in building our great constitutional system. We believe that the peoples of the United Nations also have common basic purposes which provide the foundation for effective machinery for international cooperation. We should be neither surprised nor discouraged if time and great effort are required to move forward. We hope that the effort itself will produce increasing unanimity of purpose, a unanimity which will in turn make possible more effective international action.

The United States Delegation to the General Assembly will have continually in mind the basic purposes of the American people and will strive to give them effect. We seek at this Assembly not a United States success but a United Nations success. The latter will include the former since our objectives are the objectives of the Charter itself. We earnestly solicit your backing for this great effort in which we are now engaged.

A Program for a More Effective United Nations

BY SECRETARY OF STATE GEORGE C. MARSHALL

Before the General Assembly, September 17, 1947

MR. PRESIDENT—FELLOW DELEGATES: I have been asked by the President of the United States to extend to you the cordial greetings of the Government and people of the United States, as well as his own warm personal welcome. We are happy to have you with us in this country. We trust that your stay will be productive of the far-reaching results which the peoples of all countries expect from this gathering.

Our point of departure for the deliberations of this Assembly might well be the annual report of the Secretary-General on the work of the Organization. It is a noteworthy document. It records realistically the progress and development of the United Nations, and its failures. It reflects the diligent efforts of the Secretary-General and his staff to expedite the rapidly growing volume of United Nations business.

The situation we face today may be summarized by the statement that more than two years after the end of the war, the fruits of peace and victory are still beyond our grasp. Men look anxiously toward the future, wondering whether a new and more terrible conflict will engulf them. We have not yet succeeded in establishing a basis for peace with Germany and Japan, nor have we restored Austria as an independent state. Reconstruction lags everywhere; the basic requirements of life are scarce; there is desperate need throughout great areas. The complex economic machinery which was thrown out of joint by the war has not yet been put back into running order. In place of peace, liberty, and economic security, we find menace, repression, and dire want.

A supreme effort is required from us all if we are to succeed in breaking through the vicious circles of deepening political and economic crisis. That is why the United States has placed on the agenda of this Assembly the question of threats to the political independence and territorial integrity of Greece.

The history of the Greek case in the United Nations is well known in this Assembly. You are aware that the Security Council last December adopted a resolution establishing an investigating commission to inquire into the situation along the northern frontier of Greece and report the facts to the Security Council. You know that that commission and its subsidiary group, by large majorities, have attributed the disturbances principally to the illegal assistance and support furnished by Yugoslavia, Albania, and Bulgaria to guerrilla forces fighting against the Greek Government. The extent or effectiveness of such assistance to the Greek guerrillas is not the point at issue here.

It is a universally accepted principle of international law that for one nation to arm or otherwise assist rebellious forces against another government is a hostile and aggressive act. Not only has this principle been upheld in a number of famous cases in international law, but it has also found expression in international agreements. The majority of the members of the Security Council have recorded their support of this principle by their action in this case. One permanent member of the Security Council, however, has three times vetoed the efforts of the Council to deal with the situation.

This Assembly cannot stand by as a mere spectator while a Member of the United Nations is endangered by attacks from abroad. If the United Nations should fail to protect the integrity of one small state, the security of all small states would be placed in jeopardy. The inability of the Security Council to take effective action in this case passes a grave responsibility to the General Assembly. I am confident that the General Assembly will not fail to meet this responsibility. It must do so if the Organization is to carry out its fundamental purposes.

The United States Delegation will therefore submit to the Assembly a resolution which will contain a finding of responsibility, call upon Albania, Bulgaria, and Yugoslavia to cease and desist from rendering further assistance or support to the guerrillas in Greece; establish a commission to assist in the implementation of these recommendations and to investigate the facts with regard to compliance therewith, and make other appropriate recommendations to the states concerned.

The General Assembly is also faced with the problem of Palestine. The Government of the United States intends to do everything within its power at this session of the General Assembly to assist in finding a solution for this difficult problem which has stirred up such violent passions and which is now resulting in the shedding of blood and in great mental and moral anguish. The solution will require of each of us courage and resolution. It will also require restraint.

The Special Committee on Palestine is to be highly commended for its contribution to the solution of this problem. Although the members of this Committee were not able to agree unanimously upon a number of important issues, including that of partition, they have been able to find the basis for agreement on 11 recommendations to this Assembly. Their achievement in reaching unanimity on so many points represents definite progress.

We realize that, whatever the solution recommended by the General Assembly, it cannot be ideally satisfactory to either of the two great peoples primarily concerned. While the final decision of this Assembly must properly await the detailed consideration of the report, the

Government of the United States gives great weight not only to the recommendations which have met with the unanimous approval of the Special Committee but also to those which have been approved by the majority of that Committee.

I turn now to the question of the independence of Korea. At Cairo in December 1943, the United States, the United Kingdom, and China joined in declaring that, in due course, Korea should become free and independent. This multilateral pledge was reaffirmed in the Potsdam declaration of July 1945 and subscribed to by the Union of Soviet Socialist Republics when it entered the war against Japan. In Moscow in December of 1945, the Foreign Ministers of the U.S.S.R., the United Kingdom, and the United States concluded an agreement designed to bring about the independence of Korea. This agreement was later adhered to by the Government of China. It provided for the establishment of a joint U.S. - U.S.S.R. commission to meet in Korea and, through consultations with Korean democratic parties and social organizations, to decide on methods for establishing a provisional Korean government. The Joint Commission was then to consult with that provisional government on methods of giving aid and assistance to Korea, any agreement reached being submitted for approval to the four powers adhering to the Moscow agreement.

For about two years the United States Government has been trying to reach agreement with the Soviet Government, through the Joint Commission and otherwise, on methods of implementing the Moscow agreement and thus bringing about the independence of Korea. The United States representatives have insisted that any settlement of the Korean problem must in no way infringe the fundamental democratic right of freedom of opinion. That is still the position of my Government. Today the independence of Korea is no further advanced than it was two years ago. Korea remains divided at the 38th parallel with Soviet forces in the industrial north and United States forces in the agricultural south. There is little or no exchange of goods or services between the two zones. Korea's economy is thus crippled.

The Korean people, not former enemies, but a people liberated from 40 years of Japanese oppression, are still not free. This situation must not be allowed to continue indefinitely. In an effort to make progress the United States Government recently made certain proposals designed to achieve the purposes of the Moscow agreement and requested the powers adhering to that agreement to join in discussion of these proposals. China and the United Kingdom agreed to this procedure. The Soviet Government did not. Furthermore, the United States and Soviet Delegations to the Joint Commission have not even been able to agree on a joint report on the status of their deliberations. It appears evident that further attempts to solve the

Korean problem by means of bilateral negotiations will only serve to delay the establishment of an independent, united Korea.

It is therefore the intention of the United States Government to present the problem of Korean independence to this session of the General Assembly. Although we shall be prepared to submit suggestions as to how the early attainment of Korean independence might be effected, we believe that this is a matter which now requires the impartial judgment of the other members. We do not wish to have the inability of two powers to reach agreement delay any further the urgent and rightful claims of the Korean people to independence.

For the achievement of international security and the well-being of the peoples of the world, it is necessary that the United Nations press forward on many fronts. Among these the control of atomic and other weapons of mass destruction has perhaps the highest priority if we are to remove the specter of a war of annihilation.

The preponderant majority of the Atomic Energy Commission has made real progress in spelling out in detail the functions and powers of an international control agency which would provide a framework for effective atomic energy control. Two nations, however, have been unwilling to join the majority in the conclusions reached. This is a disturbing and ominous fact. In dealing with the facts presented by the advent of atomic energy, the majority has devised a system of control which, while it is bold and daring, is, in our view, essential for security against atomic warfare. The minority has evidently been unwilling to face these same facts realistically. The mandate of the General Assembly remains unfulfilled. Failure to agree on a system of control which can provide security against atomic warfare will inevitably retard the development of the peaceful uses of atomic energy for the benefits of the peoples of the world and will accelerate an atomic armaments race.

The initial offer made by the United States on June 14, 1946, by which this country would give up its present advantage in exchange for an effective system of control, has found most gratifying acceptance by the majority of the nations represented on the Commission. They have worked earnestly together to hammer out specific proposals whereby such a system could be put into effect. All have made important contributions to the end product. The majority is convinced that its proposals provide the only adequate basis for effective control.

Since the United States realizes fully the consequences of failure to attain effective international control, we shall continue our efforts in the Atomic Energy Commission to carry forward our work along the lines of the majority views. We must state frankly, however, that in the absence of unanimous agreement on the essential functions and powers

which the majority has concluded must be given to the international agency, there will necessarily be limitations on the extent to which the remaining aspects of the problem can be worked out in detail. If the minority persists in refusing to join with the majority, the Atomic Energy Commission may soon be faced with the conclusion that it is unable to complete the task assigned it under its terms of reference laid down in the General Assembly resolution of January 24, 1946.

The United States also recognizes the importance of regulating conventional armaments. We regret that much more progress has not been made in this field. From this rostrum it is very easy to pay lip service to the sincere aspirations of all peoples for the limitation and reduction of armed forces. This is a serious matter which should not be the subject of demagogic appeals and irresponsible propaganda. I say frankly to the General Assembly that it is the conviction of my Government that a workable system for the regulation of armaments cannot be put into operation until conditions of international confidence prevail. We have consistently and repeatedly made it clear that the regulation of armaments presupposes enough international understanding to make possible the settlement of peace terms with Germany and Japan, the implementation of agreements putting military forces and facilities at the disposal of the Security Council, and an international arrangement for the control of atomic energy.

Nevertheless, we believe it is important not to delay the formulation of a system of arms regulation for implementation when conditions permit. The Security Council has accepted a logical plan of work for the Commission for Conventional Armaments. We believe that the Commission should proceed vigorously to develop a system for the regulation of armaments in the business-like manner outlined in its plan of work.

The effective operation of the United Nations Security Council is one of the crucial conditions for the maintenance of international security. The exercise of the veto power in the Security Council has the closest bearing on the success and the vitality of the United Nations.

In the past the United States has been reluctant to encourage proposals for changes in the system of voting in the Security Council. Having accepted the Charter provisions on this subject and having joined with other permanent members at San Francisco in a statement of general attitude toward the question of permanent member unanimity, we wished to permit full opportunity for practical testing. We were always fully aware that the successful operation of the rule of unanimity would require the exercise of restraint by the permanent members, and we so expressed ourselves at San Francisco.

It is our hope that, despite our experience to date, such restraint

will be practiced in the future by the permanent members. The abuse of the right of unanimity has prevented the Security Council from fulfilling its true functions. That has been especially true in cases arising under chapter VI and in the admission of new members.

The Government of the United States has come to the conclusion that the only practicable method for improving this situation is a liberalization of the voting procedure in the Council.

The United States would be willing to accept, by whatever means may be appropriate, the elimination of the unanimity requirement with respect to matters arising under chapter VI of the Charter and such matters as applications for membership.

We recognize that this is a matter of significance and complexity for the United Nations. We consider that the problem of how to achieve the objective of liberalization of the Security Council voting procedure deserves careful study. Consequently, we shall propose that this matter be referred to a special committee for study and report to the next session of the Assembly. Measures should be pressed concurrently in the Security Council to bring about improvements within the existing provisions of the Charter, through amendments to the rules of procedure, or other feasible means.

The scope and complexity of the problems on the agenda of this Assembly have given rise to the question whether the General Assembly can adequately discharge its responsibilities in its regular, annual sessions. There is a limit to the number of items which can receive thorough consideration during the few weeks in which this body meets. There would seem to be a definite need for constant attention to the work of the Assembly in order to deal with continuing problems. Occasional special sessions are not enough. The General Assembly has a definite and continuing responsibility, under articles 11 and 14 of the Charter, in the broad field of political security and the preservation of friendly relations among nations. In our fast-moving world an annual review of developments in this field is not sufficient.

The facilities of the General Assembly must be developed to meet this need. I am therefore proposing, today, that this Assembly proceed at this session to create a standing committee of the General Assembly, which might be known as the Interim Committee on Peace and Security, to serve until the beginning of its third regular session next September. The Committee would not, of course, impinge on matters which are the primary responsibility of the Security Council or of special commissions, but, subject to that, it might consider situations and disputes impairing friendly relations brought to its attention by member states or by the Security Council pursuant to articles 11 and 14 of the Charter and report to the Assembly or to the Security

Council thereon; recommend to the members the calling of special sessions of the General Assembly when necessary; and might report at the next regular session on the desirability of establishing such a committee on a permanent basis.

In our opinion, every Member of the United Nations should be seated on this body.

The creation of the Interim Committee will make the facilities of the General Assembly continually available during this next year to all its members. It will strengthen the machinery for peaceful settlement and place the responsibility for such settlement broadly upon all the Members of the United Nations. Without infringing on the jurisdiction of the Security Council, it will provide an unsurpassed opportunity for continuing study, after the adjournment of this Assembly, of the problems with which the United Nations must contend if it is to succeed.

The attitude of the United States toward the whole range of problems before the United Nations is founded on a very genuine desire to perfect the Organization so as to safeguard the security of states and the well-being of their peoples.

These aims can be accomplished only if the untapped resources of the United Nations are brought to bear with full effect through the General Assembly and in other organs. The Assembly cannot dodge its responsibilities; it must organize itself effectively, not as an agency of intermittent action but on a continuous basis. It is for us, the members of the Assembly, to construct a record of achievement in dealing with crucial problems which will buttress the authority of the Organization and enable it to fulfil its promise to all peoples.

The large powers bear special responsibilities because of their strength and resources. While these responsibilities bring with them special advantages, the Great Powers must recognize that restraint is an essential companion of power and privilege. The United Nations will never endure if there is insistence on privilege to the point of frustration of the collective will. In this spirit we have indicated our own willingness to accept a modification of our special voting rights in the Security Council. In the same spirit we appeal to the other permanent Members of the Security Council, in this and in all matters, to use their privileged position to promote the attainment of the purposes of the Organization.

The Government of the United States believes that the surest foundation for permanent peace lies in the extension of the benefits and the restraints of the rule of law to all peoples and to all governments. This is the heart of the Charter and of the structure of the United Nations. It is the best hope of mankind.

Measures To Be Taken Against Propaganda and the Inciters of a New War

BY AMBASSADOR WARREN R. AUSTIN

Before the First Committee of the General Assembly, October 23, 1947

MR. CHAIRMAN: The proposal of the Soviet Union entitled "Measures To Be Taken Against Propaganda and the Inciters of a New War", demanding suppression and censorship, ought to be rejected. It ought not to be given as much recognition as even to amend it. It is contrary to principle; it is bad policy. It diverts attention from practical programs for removing the real causes of war. The Charter repeatedly commits the United Nations jointly and severally to the promotion of human rights and fundamental freedoms. Freedom of speech is one of the most fundamental of human rights. It is so important in the theory of the people of the United States of America that it is regarded as a sill under the whole house without which the house would fall. This Soviet resolution is, therefore, in policy and principle, a direct attack on the United States of America. It was not necessary to include in the resolution the name of the United States of America in order to advertise to all the world that the Soviet Union was making a direct attack upon the very foundations of all that keeps our Government free and assures to its people the blessings of true liberty.

In the United Nations the first article of our faith as stated in the preamble is based on the "dignity and worth of the human person", on individual conscience, on personal responsibility. Freedom of speech involves much more than the right to express oneself by word or in print. It is also the freedom to listen, to read, and, above all, to think for one's self. And, we see clearly that this resolution would put shackles on the brain of man as well as a gag in his mouth. It is not designed to permit the individual to grow in wisdom and increase in spirit by seeking and formulating for himself a conception of truth. For this, the individual must have access to the knowledge of good and evil and what is regarded as true and what is condemned as false.

There is a danger, however, as Secretary Marshall said last week, which I quote here:

". . . that the individual man, whose well-being is the chief concern of all democratic policies, foreign or domestic, is being lost sight of in the welter of ideological generalities and slogans which fill the air."

If the individual had only to accept the thoughts and ideas ladled out to him by a paternal authority through newspapers which are in effect government or party bulletins, he would never attain that

"dignity and worth" of the individual in the Charter of the United Nations.

Freedom of speech, by cultivating the dignity and worth of the individual, provides the basis of responsible and stable government.

President Thomas Masaryk, in founding the new state of Czechoslovakia, stated the point clearly. He wrote:

"Freedom of opinion is a *form* of political freedom, and a *condition* of it. In practice, journalism and the daily press are extensions of parliamentary control over governments. . . . Moreover, the freedom of the press insures the right to criticize public men and the whole apparatus of the state. Criticism is at once a postulate and a method of democratic policy just as it is a postulate and a method of science and of the scientific spirit. The right to criticism is a right of political initiative."

It is the individual, participating in free institutions in the community, who gives life and strength and growth to the government. He reacts to practical experience and he colors public opinion according to the needs, the interests, and the emotions of his neighborhood. The government being his agent and servant, and not his master, listens and thus learns the will of the people.

Governments must be able to hear the people talking if their voices in this great Assembly are to be truly representative and powerful in the interests of peaceful progress. Only if all sides of the great issues can be heard and freely discussed can we hope to crystallize and organize public opinion into positive action here in the United Nations.

The principle we are working for in the United Nations is freedom of information—the free flow of information and opinion. The proper place for full consideration of the rights and responsibilities of the press and of other means of communication is the [World] Conference on Freedom of Information scheduled for next March. The agenda to which we have agreed provides for discussion by experts seeking constructive measures to promote responsibility in the exercise of the right of free speech and free press.

The style of the proposal that we have before us—that is, its form and its language and its cunning of separation and unity—does not exempt it from criticism for containing the enslaving power. The direction of the prohibition expressly against evil propaganda—not mentioning good propaganda—which is found here is the classic method of applying shackles to the mind of the governed. Wherever censorship and suppression by law or decree has been proposed it has always been aimed at bad propaganda. Yet from experience of centuries we know that the power to suppress bad propaganda is the power to suppress good propaganda.

This doctrine of extension of the hand of the magistrate over the thoughts and words of the people has never succeeded in any free country. Wherever the magistrate controls or represses this particular freedom there is no law that is certain and reliable because it is always within the power of the magistrate in such a tyrannical situation to say what is the law, what is criminal propaganda, what is war propaganda. What is the alternative? What can you have left for a people suffering under that type of tyranny? Nothing but rebellion or revolution! The antidote for such force as that has always been—and I pray God it always will be—freedom of the mind, of the lips, of the ears, of the hands of the individual.

We had here a demonstration of the grave danger contained in this resolution. Supposing that your magistrate was a man with the judgment of the representative of the Soviet Union passing upon the book *Speaking Frankly*, and supposing that he had that question before him, which must always be before a magistrate when passing upon the admissibility of a book to freedom; namely, in the name of the welfare of the people should this book be published or suppressed? You have it from him, by what he said here, that that great book would be suppressed, and its author would be dubbed a warmonger. Now that proves the fallacy of this resolution. It proves that you cannot temporize with this resolution. You cannot afford to take the chance of passing this resolution, even though you face the whole world under a consequent charge that you voted against a declaration against warmongering. Here is one of the places where men will have to stand and fight for their liberties because we are dealing with a great principle—the greatest of them all—that principle of free communication which is absolutely essential to free government and to the liberty of men. Again, did he not afford to us the most convincing evidence that this resolution should be killed outright and not amended and not temporized when he characterized John Foster Dulles as a warmonger? If this speech and writing of our people or of any Member State of the United Nations could come under the jurisdiction of a magistrate having the judgment of that representative which dubbed John Foster Dulles as a warmonger, what would become of the liberties of the people in his hands?

Later I am going to speak of his characterization of the opinion of one of the greatest liberals who sat on the bench of the Supreme Court, Mr. Justice Holmes. The judgment that he passed upon that great liberal in summoning him as a support for this reactionary resolution that we have before us, shows the danger of the resolution. What would become of freedom in the world if all over the world this doctrine was spread; if they could take it into free countries and have the

magistrate given the power to say what is warmongering and who are warmongers and clap them into jail? Let me ask you a simple, practical question. In your country do you want the type of man that Mr. Justice Byrnes represents and that John Foster Dulles represents gagged? Or do you want them free to speak up and warn of danger when it appears to them?

That is exactly what is involved in this resolution. You cannot play with it. And the speech that went behind it here was not a speech of principle; it was an attack—a propaganda attack—on the United States and Turkey and Greece, and by its content an attack upon every Member State of the United Nations which is a true democracy.

I will have more to say about the characterization of the opinion of Mr. Justice Holmes at a later time.

Before leaving that point, however, I would like to have the record show what Mr. Byrnes' position really is in that book which has already become famous and which the Representative of the Soviet Union has given probably an increased sale which will enrich the treasury of that eleemosynary foundation, the charitable institution to which the proceeds have already been donated by Mr. Byrnes. I want to thank Dr. Evatt for his comment yesterday that no man in recent years has worked harder to implement peace than Mr. Byrnes. The references that have been made to Mr. Byrnes' book give, I believe, a grossly distorted idea of his beliefs. Those beliefs, I am confident, are more truly reflected in this sentence from the final pages of his book, which I will now read:

"There is too much talk of war and too little of peace."

Does that sound like a warmonger?

"Too much is at stake for us to lose our patience. Negotiating with the Soviets may affect the nerves of a few statesmen but another world war would more seriously affect the lives of millions of people. We must continue our efforts to develop through the United Nations a common law of nations to provide definite and agreed standards of conduct. It must rest upon something more than rules, something more than force, and something more than fear. It must rest upon the growth of a common fellowship, common interests, and common ideas among the peoples of the world."

And—note this—he said:

"I remain confident that we can achieve a just peace through co-operative effort."

His thought was an ancient one expressed in the venerable language

of the Holy Bible. Paul, imprisoned for the purpose of suppression of his speech, wrote to the Ephesians:

"I am an ambassador in bonds",

and yet he wrote to them this:

"Let all bitterness and wrath and anger and clamour and evil speaking be put away from you with all malice".

Now I want to conclude this part of my address with this repeated assertion: This resolution will not bear the support of amending it. It ought to be absolutely suppressed because in the name of the United Nations, strange as it may seem, it calls upon governments which, in their law and practice, respect now the right of free speech to prohibit free speech "on pain of criminal penalties".

This resolution ought to be killed because the proposal is bad. Its policy is wrong.

Actually, attempts to suppress thought and expression cannot, in the long run, succeed. You cannot stop men from observing, comparing, contrasting, thinking, and whispering to each other their true thoughts. It has not even been done completely in the country from whence comes this resolution. And they will only hate the authority which prevents them from speaking as self-respecting men in the open.

Nothing could be more calculated to outrage the sensibilities of honest men than the attempt of fallible leaders to arrogate to themselves the power to determine what men think and say.

Isn't this true? Given the diversity of human opinions, it is obviously possible, when expression is not stifled, to find by assiduous and calculated selection statements or expressions of opinion to support any view whatsoever. It is, however, distorted and misleading to present such artificially selected items as a genuine criterion of public opinion, particularly when they represent, not the utterances of a responsible government, but one of a small minority in a community where the vast majority are against war.

In the United States and other countries where true freedom of speech is protected there are great organizations numbering within their membership millions of private citizens who make a business of advocating peace. There are, as you know, in the United States such organizations as the General Federation of Women's Clubs, the National League of Women Voters, the American Association for the United Nations, the great labor organizations, farmers, and, of course, our churches all over the land.

Let me cite but one example of the voices for peace that these great organizations frequently hear. At the World Convention of Churches of Christ in America at Buffalo, New York, on August 6,

1947, a very distinguished American, Mr. John Foster Dulles, said (let this have its effect):

"The world demands leadership which will frame issues and organize moral power, not to win war, but to win peace.

". . . we must see, as most do see, that under modern conditions war is an intolerable institution."

And yet you can see the kind of judgment that we might be exposed to if this resolution went into effect—the judgment given here on this great Christian gentleman and statesman. If anyone uses his privileges in this country to advocate war, he is running completely counter to the convictions of the vast majority of his fellow citizens, and, in turn, to the policies of his Government. The people of the United States and their Government stand for peace through international collaboration through the United Nations.

We are fully aware, of course, and always have been, that liberty carries with it the necessity of restraint, but we also profoundly believe that in the area of human freedom restraint must be a natural growth. It must develop from within. It cannot be imposed by governmental fiat or decree.

Self-discipline, not legal prohibition, is the sanction for good propaganda in a free society. There are and doubtless always will be a few among us in the United Nations who lack the self-discipline to avoid intemperate speech. But this fact does not in any way invalidate the principle that in a free society limitation of freedom must be primarily self-limitation.

As I listened to the reference made by the distinguished Representative of the Soviet Union to the opinion of Mr. Justice Holmes rendered in the Supreme Court in a case which did involve this question of speech (the *Schenck case*), I was astonished that Mr. Justice Holmes, one of the most liberal and broad-minded members of the bench of the Supreme Court in all its history, should be summoned as a support of this reactionary resolution which is presented by the Soviet Union. I hear his voice like a bell in the heavens saying to me:

"Read to them the context of that case, from which a part was garbled. Call their attention to the other decisions and opinions written by me that give a wholly different point to my opinion than that of support for a repressive measure like the resolution that is now before us."

Now that case from which a very brief extract was taken was a case for inciting insubordination and obstruction to military and naval action in time of war. The defendants were summoned for obstructing recruiting and enlisting when the safety of our coun-

try depended upon that. Of course, they were convicted. But Mr. Justice Holmes was very careful to save this doctrine of freedom of speech. The point in his decision was to make clear that there is a line fixed between what is proper to do in the way of police power and what is improper to do according to the circumstances and the times. This is the heart of that opinion. This is what makes that opinion an authority and made it famous:

"The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and pressing danger that there will bring about the substantive evils that Congress has the right to prevent."

You cannot leave one word out of that and have a valid understanding of it. It is a question of proximity and degree.

Now then, he elaborated on that view in a subsequent case. This was the case of *Abrams* vs. *the United States*. Here was a case where Russian-born people printed a few thousand leaflets of protest against American troops being sent into Russia after the revolution in 1917. The majority of the court found them guilty. Four men and a girl were sentenced and Mr. Justice Holmes dissented. He is not a witness for suppression; he is a witness for freedom.

And, he said there—this is a dissenting opinion, you understand:

"I think we should be eternally vigilant against attempts to check the expression of opinions that we loathe and believe to be fraught with death, unless they so imminently threaten immediate interference with the lawful and pressing purposes of the law that an immediate check is required to save the country."

That is the test. It is no light matter that will cause you to act in such cases. It must be of the gravest import. Not only that, it must be immediately threatening and requiring action at once to save the country.

We find it again in this expression by Mr. Holmes:

"Only the emergency that makes it immediately dangerous to leave the counter-action of evil counsels to time warrants making any exception to the sweeping command: Congress shall make no law abridging the freedom of speech."

Here is another case—the *Rosika Schwimmer case*—involving the refusal of citizenship to a woman who stated that she would not take up arms for this country. Mr. Justice Holmes, dissenting, said this:

". . . if there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us but freedom for the thought that we hate."

And yet, would you want your freedom submitted to a magistrate who judged that Mr. Justice Holmes is a good witness to call in support of this resolution? That is what you face if you let this resolution go through.

I think, however, that the occasion is so important that I ought to refer to an opinion by Mr. Justice Brandeis in which Mr. Justice Holmes concurred. It was, of course, an inadvertency for the distinguished Representative of the Soviet Union to drag this matter in here and to try to make use of an opinion whose emphasis had an entirely different direction and probative force from that which he used.

This other case is *Whitney* vs. *California.* I think perhaps some of my colleagues here may be quite familiar with this case. This was a case where the I.W.W. Terrorists were involved and it was brought under the California Criminal Syndicalism Act.

We find that, although the court sustained and affirmed the conviction of these men, Mr. Justice Holmes and Mr. Justice Brandeis wrote a dissenting opinion to that conviction under that repressive law. But the reasoning is the point—that Mr. Justice Brandeis wrote the opinion and Mr. Justice Holmes concurred in it—and I am going to trespass upon your patience to read some of this because it is more eloquent than any one of us could be in the defense of this fundamental freedom—free speech.

"The right of free speech, the right to teach, and the right of assembly are, of course, fundamental rights. . . . These may not be denied or abridged. But although the rights of free speech and assembly are fundamental, they are not in their nature absolute. Their exercise is subject to restriction, if the particular restriction proposed is required in order to protect the state from destruction or from serious injury, political, economic, or moral. That the necessity which is essential to a valid restriction does not exist unless speech would produce, or is intended to produce, a clear and imminent danger of some substantive evil which the state constitutionally may seek to prevent has been settled."

I am skipping over a whole page to this:

"Those who won our independence believed that the final end of the State was to make men free to develop their faculties; and that in its government the deliberative forces should prevail over the arbitrary. They valued liberty both as an end and as a means. They believed liberty to be the secret of happiness and courage to be the secret of liberty. They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of

political truth; that without free speech and assembly discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American Government. They recognized the risks to which all human institutions are subject. But they knew that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones. Believing in the power of reason as applied to public discussion, they eschewed silence coerced by law—the argument of force in its worst form. Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed."

And I am moving over again to another part of this very great decision:

"In order to support a finding of clear and present danger, it must be shown either that immediate serious violence was to be expected or was advocated, or that the past conduct furnished reason to believe that such advocacy was then contemplated. Those who won our independence by revolution were not cowards. They did not fear political change. They did not exalt order at the cost of liberty. To courageous, self-reliant men, with confidence in the power of free and fearless reasoning applied through the processes of popular government, no danger flowing from speech can be deemed clear and present unless the incidence of the evil apprehended is so imminent that it may befall before there is opportunity for full discussion. If there be time to expose through discussion the falsehoods and fallacies to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence."

And think of it. Do you want it possible to have a judgment of whether you are a warmonger and whether what you say or write is warmongering submitted to a magistrate who *may* have, I merely assert *may* have, the point of view of the distinguished gentleman who cited Mr. Justice Holmes as a witness for repression of free speech? No! The limitation of freedom must be based on moral law—on standards of conduct which the great majority have voluntarily accepted as necessary to guide their behavior—and on reason.

Defending the right of free expression, even on so vital a matter as the preservation of the newly formed American union, Thomas Jefferson said in his first inaugural address:

"If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it."

This lesson might well be applied to our newly formed union of nations.

The road of restraint by edict leads directly to the establishment of censorship and a police state. The United States does not intend to support any steps along that road.

There can be no compromise with efforts to curtail freedom of speech. Condemnation of thought and expression leads to prohibition, prevention, and suppression. Suppression of thought and speech leads to the tyrannical exercise of arbitrary power in the hands of the few. This is the antithesis of democracy, the negation of the principles upon which the United Nations is based.

The United States Delegation opposes any attempts, direct or indirect, to limit freedom of expression. We are against even setting foot upon the path leading to suppression and tyranny. We are, therefore, opposed to this resolution in its entirety.

The Soviet proposal directs attention from practical programs for removing the causes of war. These programs should now have our undivided attention. Destructive expression cannot make headway if constructive actions are resolutely carried forward in support of the Charter.

There is a genuine ground for concern—even alarm—over the state of international relations. Intemperate talk and provocative expression on all sides point to causes, deep-seated and significant. To attempt to suppress talk reflecting this anxiety is futile. Talk is a symptom. We must get at the causes, such as distress, despair, hunger, and ill health. The causes also include the failure of the United Nations to establish peace forces, the failure to establish safeguards against the use of atomic energy for destructive purposes. The Soviet resolution presents no inspiration or help to Members of the United Nations.

For the condemnation of war no resolution by the General Assembly can equal in dignity or authority the Charter of the United Nations. Every feature of the Charter aims at the taking of effective collective measures "to save succeeding generations from the scourge of war". The Charter tells us specifically how to carry out our obligations

to prevent war and maintain peace. Let us get on with practical programs.

One such program is to build as rapidly as possible the economic and social foundations for stable and strong Members of the United Nations, capable of playing their full role in collective security.

We want to live in a reconstructed world of self-reliant, self-respecting nations which are progressively achieving freedom from want as well as freedom from fear.

The task of restoring the economy of the world cannot be fully accomplished, however, until the countries of the world bend their efforts in concert to this end. Recognizing the need for increased mutual economic assistance if the acute postwar problems are to be met, the Economic and Social Council during the past year established an Economic Commission for Europe and an Economic Commission for Asia and the Far East. The United States is a member of both Commissions and looks to them for constructive action on these problems of reconstruction.

Meanwhile, in view of the magnitude and urgency of the economic problems still confronting Europe, a number of the European countries have joined together to examine what they themselves can do, and how the United States can help them, to restore their economies to the point where they can repair the ravages of war, pay their way in the world, and enjoy standards of living which will enable their peoples to support their democratic institutions.

European cooperation for recovery as begun in Paris should, if effectively carried through, go a long way toward restoring economic health to the participating countries. But however great the achievements of the concerted effort toward European recovery, these achievements will constitute the beginning rather than the end of the road to an economically stable and prosperous world. The peoples of the world hope for world-wide cooperation through the United Nations to attain long-range economic and social progress.

It will be the unique task of the Economic and Social Council, its committees and commissions, and the related specialized agencies to help translate the common purpose into creative action on the part of all the elements in a now great design for international cooperation in the economic and social field.

In the struggle for security and freedom from fear we seek to protect the territorial integrity and political independence of all countries. This is another practical program for peace. Aggression, whatever its form, cannot stand the light of day. Aggression cannot be planned and carried out in the spotlight of world opinion as it is reflected in this great Assembly.

Still another great program for peace has been approved by a large

majority of the Atomic Energy Commission. By a vote of ten to one with no abstention, the Atomic Energy Commission has submitted to the Security Council an interim report defining in detail the functions, responsibilities, and limitations of an international agency for the control of atomic energy. The Soviet Union alone voted against this interim report. It has continued to urge prohibition before control is set up.

Effective control of atomic and other weapons of mass destruction is not served by the exhortation contained in paragraph 4 of the resolution before us. The proposed resolution speaks only of "the exclusion from national armaments of the atomic weapon and all other main types of armaments designed for mass destruction." It does not quote the remainder of the resolution of January 24, 1946, which requires "effective safeguards by way of inspection and other means to protect complying States against the hazards of violation and evasions."

Part 4 of the Soviet resolution asks this body to accept a principle which the preponderant majority of the Atomic Energy Commission, having worked on this problem for more than 15 months, long since rejected in toto. Yet, the Soviet Union would still have us say that a convention of prohibition is enough.

The majority of the Commission which has worked assiduously for these many months on the problem of atomic energy control knew that an exchange of pious promises not to use atomic weapons is of no value except as a part of a fully effective system of control. Without such control, no treaty would provide the security which the world demands. It would indeed be a fraud upon the peoples.

In seeking security, we are also working to reduce the burden of armaments by plan and agreement. We can do this by patient, detailed work in the Commission which has been set up for the purpose. The world wants collective security. The absence of collective security is a cause of fear. Slow progress to general disarmament casts doubt upon our ability to outlaw war. But it can be prepared for day by day in the Commission for Conventional Armaments, and can be finally realized when effective safeguards against the destructive use of atomic energy have been established, agreement reached on the shape and size of peace forces, and the peace settlements concluded.

The United States will continue its efforts to meet negative and obstructive diplomacy with a diplomacy that seeks the constructive solution. It is trying to cooperate in words and deeds in many constructive programs for peace, and it is willing that its words and deeds should be judged by its fellow Members of the United Nations.

Cooperation in these practical programs by all the Members of the

United Nations would remove the causes of war, thereby eliminating the symptoms aimed at by the Soviet resolution.

Let us dissent to the resolution and get on with our work.

Threats to the Political Independence and Territorial Integrity of Greece

BY AMBASSADOR HERSCHEL V. JOHNSON

Before the First Committee of the General Assembly, September 25, 1947

Since the Government of the United States has placed the question with which we are dealing today on the agenda of the General Assembly, I would like to review very briefly the facts of the case as we see them and the reasons which have led us to the belief that the General Assembly should take action in support of the independence and integrity of Greece. I will not attempt at this stage to go into any detail, as many members of the Assembly are already familiar with the case before us, and those who are not will I am sure want to study the Security Council's records in order to form their own conclusions.

The background of this case is briefly as follows:

On December 3, 1946, Greece complained to the Security Council that guerrillas in Greece defying the Greek Government were receiving support from Albania, Bulgaria, and Yugoslavia.

On December 19, 1946, the Security Council by unanimous decision established an on-the-spot investigation commission to ascertain the facts relating to the alleged border violations along the frontier between Greece on the one hand, and Albania, Bulgaria, and Yugoslavia on the other. The Commission was also invited to make proposals for averting a repetition of border violations and disturbances in these areas.

The Commission rendered a report to the Security Council on May 27, 1947, after four months of work. A majority of eight of the Commission's eleven members joined together in certain conclusions as to the facts. The sum and substance of their conclusions, in their own words is: "On the basis of the facts ascertained by the Commission it is its conclusion that Yugoslavia, and to a lesser extent Albania and Bulgaria, have supported the guerrilla warfare in Greece."

The Commission found that assistance by Yugoslavia to the guerrillas took the form of training refugees from Greece within the borders of Yugoslavia; recruiting and dispatching them to Greece for action with the guerrilla units there, as well as supplying them for this purpose with arms, supplies, transport, and guides, and providing an avenue of escape for guerrillas fleeing from the Greek Govern-

ment forces. At a camp at Bulkes in Yugoslavia, a specialized course was established designed to give theoretical and practical training in guerrilla warfare. At this camp the refugees were subjected to political indoctrination and propaganda looking toward the overthrow of the Greek Government.

The Commission found that the Bulgarian Government provided aid to the Greek guerrilla movement, principally in the form of assistance in entering and leaving Bulgarian territory, in the provision of transportation for guerrillas crossing Bulgaria to and from Yugoslavia, and in hospitalization of guerrillas wounded in Greece. In certain instances Greek guerrillas were given arms in and near Sofia.

Moreover the Commission found that Albania also had assisted the guerrillas. Prior to the establishment in the spring of 1946 of the course for guerrilla leaders in the camp at Bulkes in Yugoslavia, the Albanian Government had operated a camp at Rubig in which Greek refugees received political instruction as well as practical and theoretical military training. Albania had granted assistance to Greek guerrillas in the form of providing arms and ammunition as well as making available routes of entry, guides, and liaison assistance for guerrilla groups returning to Greece from Albania and Yugoslavia.

The Commission also stated that "the Yugoslavian and Bulgarian Governments by speeches of responsible officials and articles in the press, have . . . promoted a separatist movement among the Slav-Macedonians in Greece."

The conclusions of fact, which I have only outlined in the most general way, cover many pages of the Commission's report.

A majority of nine of the eleven members of the Commission agreed upon three kinds of proposals to the Security Council for the pacific settlement of the dispute. First, the Security Council would call upon the countries in question to refrain from the support of elements in neighboring countries aiming to overthrow their lawful governments. Secondly, the Security Council would call upon the four governments concerned to take certain action to rectify the situation to establish normal good-neighborly relations, to enter into conventions, providing effective machinery for the regulation and control of common frontiers, and providing for the control of refugees. Finally, the Security Council would establish a Commission in the area to investigate frontier violations and to use its good offices for the settlement of controversies and complaints having to do with the frontier, and to assist the governments concerned in carrying out the recommendations of the Security Council.

On June 27, 1947, the Representative of the United States proposed a resolution in the Security Council for the pacific settlement of the dispute along the lines recommended by the Commission. This reso-

lution made no reference to the conclusions of the majority of the Commission regarding the support which Greece's northern neighbors were giving to guerrillas inside Greece. It was entirely neutral as between the parties and sought in the spirit of chapter VI of the Charter to alleviate the situation and eventually to restore it to normal. During the ensuing month the Council devoted nearly all of its time to this case, making all possible efforts to conciliate different points of view. On July 29, 1947, nine members of the Council voted for the United States resolution as amended during the course of its proceedings. This resolution, although supported by nine members, failed because of a Soviet veto.

The Soviet Representative proposed a resolution assigning entire responsibility to Greece, and recommending withdrawal of foreign troops and foreign military personnel from Greek soil and the establishment of a Commission to supervise foreign economic assistance extended to Greece. This resolution was voted on by the Security Council on August 4, 1947, and received two favorable votes. The Polish Representative then proposed a resolution containing recommendations to the parties concerned, similar to some of those contained in the United States resolution but omitting the essential provision for a commission. Since the majority of the Council was of the opinion that the maintenance of a United Nations organ in the area, to report on the facts to the United Nations and to the world and to act as mediator, was essential to a substantial alleviation of the situation, this resolution received only two favorable votes.

During these deliberations of the Security Council the Subsidiary Group of the Balkan Investigating Commission was carrying out an active program of on-the-spot investigation. This group was established by a decision of the Security Council on April 18, 1947, and granted authority to carry out its functions in the territory of the four states concerned. Albania, Bulgaria, and Yugoslavia refused to permit the Subsidiary Group to perform its functions in their territories, and failed to cooperate with it—in spite of the fact that they were legally bound to do so.

It is clear from the reports of the Subsidiary Group that, subsequent to the period covered by the Balkan Commission's report, Albania, Bulgaria, and Yugoslavia have actually increased their assistance to the Greek guerrillas. Evidence reported by the Subsidiary Group indicates that, in the Angistron Lipa incident on the Greek-Bulgarian frontier in April 1947, some 135 Greek guerrillas took refuge across the Bulgarian frontier, were taken to the "refugee" camp at Berkovitsa, and some time later, having been armed at the frontier, were returned to Greece. In the Metaxades incident in June, some 100 guerrillas crossed the Bulgarian frontier. In the Kouka-Palaion-

Thiethnes incident of March 31–April 1, 1947, some 400 to 500 guerrillas crossed into Yugoslavia where they were sheltered, guarded, and supplied with food, arms, and ammunition for their return to Greece. While the Security Council of the United Nations was making every effort to conciliate the situation, a report of the Subsidiary Group indicated that in the Konitsa incident, July 11–13, some eight to nine guerrilla battalions, estimated as 1,000 men, after having been sheltered and supplied both in Yugoslavia and Albania, crossed the Albanian frontier in the Radat area to attack in the Prosilion region, were driven back into Albania, and crossed into Greece again for further action.

In anticipation of continued activities such as I have just described, the Balkan Commission had recommended, in the light of the situation investigated, that in the area of its investigation future cases of support of armed bands formed on the territory of one state and crossing into the territory of another, or refusal by a government to take all possible measures to deprive such bands of any aid or protection, should be considered by the Security Council as a threat to the peace within the meaning of the Charter.

Having been unable to effect a pacific settlement of the case, and being faced with substantial evidence of continued foreign support to Greek guerrillas, the majority of the Council found it necessary to follow this recommendation of the Balkan Commission. Accordingly, on August 19, 1947, nine members of the Security Council voted in favor of a resolution proposed by Australia, determining that the situation on the northern borders of Greece constituted a threat to the peace, and calling upon the parties involved, namely Greece, Albania, Yugoslavia and Bulgaria, to cease all acts of provocation, and setting up an observer group. This was vetoed.

These nine members then voted in favor of a resolution proposed by the United States which found that assistance and support to the guerrillas by Albania, Bulgaria, and Yugoslavia constituted a threat to the peace, called upon Albania, Bulgaria, and Yugoslavia to cease and desist from rendering any further assistance or support in any form to the guerrillas fighting against the Greek Government, and directed the Subsidiary Group of the Balkan Commission to report on compliance. This resolution was also vetoed.

After requesting the Secretary-General of the United Nations to place the Greek question on the agenda of the General Assembly, the United States proposed that the Security Council request the General Assembly to discuss the problem and make recommendations. This would have permitted the continued existence in the area of the Security Council's Investigation Group. Nine members of the Council voted for this resolution. However, it was also vetoed by the U.S.S.R.

The Council had no alternative but to remove the question from its agenda and by so doing terminate its Investigation Group.

The Security Council on September 15 requested the Secretary-General to place all records and documents in the Greek case at the disposal of the General Assembly. This material contains a wealth of evidence. The case has been carefully investigated, considered, and documented by duly constituted agencies of the United Nations.

The Commission made investigations in the territories of the four countries concerned despite numerous obstacles raised by Greece's northern neighbors. The Commission and seven teams established by it made 33 field investigations of which 19 were requested by one or more of Greece's northern neighbors. It examined 238 witnesses of whom 25 were presented by Albania, 34 by Bulgaria, 76 by Greece, 67 by Yugoslavia, and 35 by the Commission itself. The Commission accumulated 20,000 pages of evidence and other material.

After four months of work, the Commission submitted a comprehensive report to the Security Council, comprising three volumes, in all 767 pages. The facts elicited by the Commission and its Subsidiary Group substantiated beyond a doubt the majority conclusions of the Commission and of the Security Council that Albania, Bulgaria, and Yugoslavia have supported guerrilla warfare in Greece.

My Government earnestly requests every member of the General Assembly to study and weigh the evidence of the Commission, the Subsidiary Group, and the proceedings of the Security Council. These records are, in our view, more than sufficient to form the basis for the current consideration of this matter by the General Assembly.

It is a clearly established principle of international law that arming and assistance by one nation of forces rebelling against another government constitutes a hostile and aggressive act. A number of international agreements have included this principle and the principle has been upheld in numerous legal decisions. Albania, Bulgaria, and Yugoslavia have clearly violated this important principle of international law.

The peoples of the world have expressed in the Charter of the United Nations their determination to practice tolerance, to live together in peace with one another as good neighbors, and to unite their strength to maintain international peace and security. To that end the Members of the United Nations solemnly pledged themselves to carry out the purposes and principles of the Charter. The first purpose of the United Nations is "to maintain international peace and security". Members of the United Nations pledged themselves by the terms of the Charter to respect the sovereign equality of all its Members. They pledged themselves to settle their international disputes by peaceful

means in such a manner that international peace and security, and justice, are not endangered. They pledged themselves to refrain from the threat or use of force against the territorial integrity or political independence of any state. They agreed to insure that states which are not members of the United Nations act in accordance with the principles of the Charter so far as may be necessary for the maintenance of international peace and security.

Yugoslavia was among those states which affixed their signatures to the Charter of the United Nations. Albania and Bulgaria have applied for membership in the United Nations. Can it be said that the actions of these three states represent an attempt to settle international disputes by peaceful means, and in such a manner that international peace and security, and justice, are not endangered? Can it be said that such activities do not in contravention of the Charter endanger the territorial integrity and political independence of Greece?

The General Assembly was given broad responsibilities in the field of the maintenance of international peace and security. It possesses the broadest recommendatory powers of any organ of the United Nations, embracing the entire scope of the Charter. The inability of the Security Council to take effective action in this case passes a grave responsibility to the General Assembly to uphold the Charter and carry out the fundamental purposes of the United Nations.

The United States Government believes that, under all the circumstances and on the basis of the evidence made available to it by the Security Council, the General Assembly should make a finding that Albania, Bulgaria, and Yugoslavia, in contravention of principles of the Charter, have given assistance and support to the guerrillas fighting against the Greek Government. We believe the General Assembly should call upon the Governments of Albania, Bulgaria, and Yugoslavia to cease and desist from rendering any support in any form to the Greek guerrillas.

I have already indicated that the Balkan Commission, after lengthy investigation, proposed that the Security Council make certain recommendations to the four Governments concerned. The General Assembly might appropriately make the same recommendations.

It was also proposed by the Balkan Commission, and incorporated in all of the resolutions supported by the majority of the Security Council that the United Nations maintain a continuing body in the area. My Government proposes that the General Assembly establish a Special Committee to proceed to and to have its seat in this area (*a*) to observe the compliance with the recommendations of the General Assembly made directly to the four Governments concerned, and (*b*) to be available to assist the four Governments concerned in the

implementation of such recommendations. My Government proposes that the General Assembly recommend that the four Governments concerned cooperate with such committee to enable it to carry out these functions.

While we hope that these steps will resolve the difficulties on the northern frontier of Greece, the General Assembly must be in a position to consider the matter further on short notice should the situation require it. For this purpose we propose that if, in the opinion of the Special Committee, consideration of the matter before the next regular session of the General Assembly is necessary for the maintenance of international peace and security, the Special Committee be authorized to recommend to the Members of the United Nations that a special session of the General Assembly should be convoked. Such special session would have to be convoked, of course, in accordance with existing procedure, requiring the consent of a majority of the members, or a request of the Security Council.

I am submitting to the Committee a draft resolution embodying these proposals, copies of which have been circulated.

In the opinion of my Government, the decision of the General Assembly in this case is crucial, both for the existence of Greece as a free and independent nation and for the United Nations itself. The failure of the United Nations to protect one small state can only endanger the security of other small states. The failure of the General Assembly to meet this issue squarely would inevitably lead to the belief that acts of this kind would be tacitly condoned in the future.

It is my Government's conviction that the General Assembly will meet its responsibilities in this case firmly and courageously and will do what the situation requires. We believe that each Member of the United Nations is under an obligation, in a case of this kind, to act in accordance with the facts and in conformity with the high principles of the Charter. Each one of us must respond to the trust reposed in us by the peoples of the United Nations whom we represent.

The matter now rests squarely upon the shoulders of each Member of the Assembly. It is within the power of the Members to maintain the benefits of collective security through the United Nations. Only a determined and courageous United Nations can accomplish this result.

Two years ago the Charter of the United Nations was drafted in response to the impelling determination of the peoples of the world that the international community be organized for the main-

tenance of peace. That will for peace is even more compelling today among all the peoples of the world.

If we, their representatives, do not translate this determination into effective, collective action in this case, we shall no longer reflect their will; we shall fail in our duty, and shall thereby undermine the foundations of peace.

The United Nations and the Threats to the Political Independence and Territorial Integrity of Greece

BY AMBASSADOR HERSCHEL V. JOHNSON

Before the General Assembly, October 20, 1947

Mr. President, Fellow Delegates: The Government of the United States has brought to the attention of the General Assembly of the United Nations the question of "threats to the political independence and territorial integrity of Greece".

The people of the United States desire a world made up of politically independent states, each capable of conducting its own foreign affairs, and all cooperating for peace and for economic, social, and political advance in accordance with the principles of the United Nations Charter. They desire that in every country individuals may be protected in their rights under the law, and participate in their own government through free and open elections. At the same time the United States recognizes that in many large areas the economic conditions and educational standards are such that progress along these lines will take many years, and will require understanding and patience for their development.

A world of independent states cooperating through the United Nations in the extension of the benefits and restraints of the rule of the Charter to all peoples and to all governments is the cornerstone of the United States foreign policy. To this end the United States will lend the United Nations every support.

Mr. President, Committee 1 of the General Assembly has considered the question of threats to the political independence and territorial integrity of Greece for approximately three weeks. The issue in the Greek question is the aid being provided by Albania, Bulgaria, and Yugoslavia to guerrillas fighting against the Greek Government.

The evidence that this aid is being furnished is very clear. It was compiled first by the Investigating Commission sent out by the Security Council and later by the Subsidiary Group of that Commission

which carried out investigations on the ground all last spring and summer.

This evidence shows beyond doubt that Albania, Bulgaria, and Yugoslavia have furnished material assistance to Greek guerrillas fighting against the legal Government of Greece. It shows that this assistance was continued even while the Security Council was actively debating the problem all through this past summer.

The majority of the members of the Committee, including the United States, in support of the principles and purposes of the Charter, wish to afford the people of Greece, a small Member nation, an opportunity to work out their own destiny, to prevent a minority which is receiving arms and other assistance from Greece's northern neighbors, from dictating their future.

Committee 1 has approved a resolution which it has submitted for the consideration of the General Assembly.

The resolution follows recommendations made by a majority of the United Nations Commission of Investigation Concerning Greek Frontier Incidents as well as the resolution for the pacific settlement of the case approved by nine of the eleven Members of the Security Council. The operative part of the resolution calls upon Albania, Bulgaria, and Yugoslavia to do nothing which could furnish aid or assistance to the Greek guerrillas. It also calls upon Albania, Bulgaria, and Yugoslavia on the one hand and Greece on the other to settle their disputes by peaceful means, and to that end, recommends the establishment of normal diplomatic and good-neighborly relations, of frontier conventions, and of machinery for the handling of refugees.

The resolution establishes in the area a special committee of the General Assembly. This Special Committee is to assist the four governments concerned in the settlement of their disputes by peaceful means, and in the implementation of the other recommendations made directly to them in this connection. It also is to make investigations and report to the United Nations on whether or not Albania, Bulgaria, and Yugoslavia in fact do nothing which could furnish aid or assistance to the guerrillas fighting against the Greek Government.

The facts elicited by the United Nations Commission of investigation Concerning Greek Frontier Incidents and by its Subsidiary Group pointed to the necessity for the establishment of this Special Committee. These facts have been reinforced by statements made in Committee 1 by the representatives of Albania, Bulgaria, and Yugoslavia as well as by those of certain other states. I refer in particular to their opposition to the establishment of the Special Committee, and to their refusal to give to Committee 1 a satisfactory reply to frequent requests that they state their willingness to cooperate in carrying out

the recommendations of the General Assembly. This Special Committee can bring no conceivable harm to Albania, Bulgaria, or Yugoslavia. The violence of their opposition to its establishment can be interpreted only as indicative of the fact that certain projects will be frustrated by its existence. If they were not in fact engaged in projects contrary to the Charter, what greater opportunity could these countries have to prove to the world the truth of their denials, to clear themselves of charges levelled against them?

It is the hope of the United States Government that action taken at this session of the General Assembly will convince Greece's northern neighbors that the international community does not intend to repeat the mistakes of the past and see their machinery for collective security jeopardized. I hope that they will realize that it is to their long-term advantage to accept the restraints of the rule of law as represented by the majority of the United Nations. Universal acceptance of limited restraints will bring forth over a period of years abundant benefits to all mankind. Wise leadership in these countries surely would not foreclose for their people the opportunity to share in these benefits by lack of restraint at this moment.

My Delegation regrets that the Delegates of the Soviet Union and Poland have seen fit to state that they could not participate in the work of the Special Committee to be established. I sincerely hope that they will accept the mandate of this General Assembly that, on behalf of all Members of the United Nations, they share in the work of this Committee and thus make an added contribution to the maintenance of the peace. In the opinion of my Delegation, Mr. President, the General Assembly would be derelict in its duties if it did not insure its ability to consider the matter further on short notice should the situation require it. For this reason the resolution submitted by Committee 1 includes a provision that, if, in the opinion of the Special Committee to be established, further consideration of the Greek case by the General Assembly prior to its next regular session is necessary for the maintenance of international peace and security, the Special Committee is authorized to recommend to the Members of the United Nations that a special session of the General Assembly be convoked as a matter of urgency. Such special session would have to be convoked, of course, in accordance with existing procedure, at the request of a majority of the Members of the United Nations or of the Security Council.

If it should become necessary to call a special session of the General Assembly to consider threats to the political independence and territorial integrity of Greece, the Government of the United States would be prepared to cooperate with other members of the United Nations

in putting into effect whatever measures are recommended by the General Assembly for the protection of Greece.

As the Members of this Assembly know, the United States has already assumed heavy burdens in Greece. At the urgent request of the Greek Government we are furnishing assistance to Greece to rehabilitate that country's devastated economy and to help it preserve its independence against the threat which the Assembly is now considering here.

The United States is doing this because we believe it essential that the well-being, the independence, and the integrity of Members of the United Nations be maintained, whether they are large nations or small nations. Our policy toward Greece, in providing concrete aid and in every other phase, is designed solely to serve this purpose. We have no ulterior motives. We seek no material gain; there is no conceivable way in which the United States could profit from what it is doing with regard to Greece, except in terms of the peace and stability of the United Nations.

What we want is the restoration of peace, order, and prosperity in Greece. We want this not merely because it will be good for Greece but also because it will be good for all the nations of the world. We believe it will add strength to the cause of world peace and, specifically, to the foundations of the United Nations. This Organization whose Members are meeting here can be no stronger than the aggregate strength of its component parts. Disturbances in Greece, in the Balkans, cannot but weaken the United Nations, and conversely, stability and prosperity in that region will inevitably fortify it.

What the United States is doing in Greece is directed toward upholding the principles and purposes of the Charter of the United Nations. The resolution which the General Assembly is considering today is directed toward the same end. The specific problem before us is that of finding means to prevent aggression. This kind of problem is one which can be solved best by united action. It offers to the United Nations both a challenge and an opportunity. My Government pledges itself to join with its fellow Members in meeting this challenge and improving this opportunity.

The Government of the United States is deeply conscious of the gravity of the decision which Committee 1 is asking the General Assembly to take. Over a period of years the authority of the United Nations as a collective-security agency must be established step by step. By passing successfully this milestone, the United Nations will increase its capability to meet future tests, to take new steps toward the extension of the benefits and of the restraints of the rule of the Charter to all peoples and to all governments. Only thus can the cause of peace move forward.

Future Government of Palestine

BY AMBASSADOR HERSCHEL V. JOHNSON

Before the *Ad Hoc* Committee on the Palestinian Question of the General Assembly, October 11, 1947

MR. CHAIRMAN: The problem of the future government of Palestine confronts the General Assembly of the United Nations with a heavy and complex responsibility. The General Assembly, having assumed responsibility for making recommendations to the United Kingdom on the subject, must do everything within its power to evolve a practical solution consistent with the principles laid down in the United Nations Charter.

The United States Delegation feels that the urgency of the problem is so great that the General Assembly must recommend a solution at this session. The degree of urgency has been brought to our attention by continued violence in Palestine, by the context of the Special Committee's Report, and by the statement of the Delegate from the United Kingdom regarding the recommendations of the Committee and future British responsibilities in Palestine.

During the past weeks this Committee has had the benefit of the views of several members of this Committee, and has heard statements by the Representatives of the Arab Higher Committee and the Jewish Agency for Palestine on behalf of the peoples primarily concerned. The United States Delegation believes that this discussion has been of material assistance and hopes that it will continue on the broadest basis.

It may be recalled that, as a result of the first World War, a large area of the Near East, including Palestine, was liberated and a number of states gained their independence. The United States, having contributed its blood and resources to the winning of that war, felt that it could not divest itself of a certain responsibility for the manner in which the freed territories were disposed of, or for the fate of the peoples liberated at that time. It took the position that these peoples should be prepared for self-government and also that a national home for the Jews should be established in Palestine. The United States Government has subsequently had long and friendly relations with the independent states which were created in the Near East and is happy to note that most of them are Members of the United Nations and have representatives present at this meeting.

It may be recalled, with regard to Palestine, that in 1917 the Government of the United Kingdom, in the statement known as the Balfour declaration, announced that it viewed with favor the establishment in Palestine of a national home for the Jewish people and that it would

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use its best endeavors to facilitate the achievement of that object, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country. In 1923 the objectives stated in this declaration were embodied in the League of Nations mandate for Palestine which was entrusted to the Government of the United Kingdom as mandatory. As the United States was not a member of the League of Nations, a convention was concluded between the United States and the United Kingdom in 1924 with regard to American rights in Palestine. The Palestine mandate is embodied in the preamble to this convention. The United States consented to this mandate. Members of this Committee are aware of the situation which subsequently developed in Palestine and of the many efforts which have been made to achieve a settlement. We now have before us a report of the Special Committee of the United Nations with regard to the Palestine question.

The United States Delegation supports the basic principles of the unanimous recommendations and the majority plan which provides for partition and immigration. It is of the opinion, however, that certain amendments and modifications would have to be made in the majority plan in order more accurately to give effect to the principles on which that plan is based. My Delegation believes that certain geographical modifications must be made. For example, Jaffa should be included in the Arab State because it is predominantly an Arab City.

My Delegation suggests that the General Assembly may wish to provide that all the inhabitants of Palestine, regardless of citizenship or place of residence, be guaranteed access to ports and to water and power facilities on a nondiscriminatory basis; that constitutional guaranties, including guaranties regarding equal economic opportunity, be provided for Arabs and Jews alike, and that the powers of the Joint Economic Board be strengthened. Any solution which this Committee recommends should not only be just but also workable and of a nature to command the approval of world opinion.

The United States Delegation desires to make certain observations on the carrying out of such recommendations as the General Assembly may make regarding the future Government of Palestine. The General Assembly did not, by admitting this item to its agenda, undertake to assume responsibility for the administration of Palestine during the process of transition to independence. Responsibility for the Government of Palestine now rests with the mandatory power. The General Assembly, however, would not fully discharge its obligation if it did not take carefully into account the problem of implementation.

Both the majority report and the statement of the United Kingdom

Representative in this Committee raise the problem of carrying into effect the recommendations of the General Assembly. We note, for example, that the majority report indicates several points at which the majority thought the United Nations could be of assistance. It was suggested that the General Assembly approve certain steps involved in the transitional period, that the United Nations guarantee certain aspects of the settlement concerning Holy Places and minority rights, that the Economic and Social Council appoint three members of the Joint Economic Board, and that the United Nations accept responsibility as administering authority of the City of Jerusalem under an international trusteeship.

The United States Government is willing to participate in a United Nations program to assist the parties involved in the establishment of a workable political settlement in Palestine. We refer to assistance through the United Nations in meeting economic and financial problems and the problem of internal law and order during the transition period. The latter problem might require the establishment of a special constabulary or police force recruited on a volunteer basis by the United Nations. We do not refer to the possibility of violations by any Member of its obligations to refrain in its international relations from the threat or use of force. We assume that there will be Charter observance.

In the final analysis the problem of making any solution work rests with the people of Palestine. If new political institutions are to endure, they must provide for early assumption by the people themselves of the responsibility for their own domestic order. Acts of violence against constituted authority and against rival elements of the local population have appeared in Palestine over a period of many years and have greatly increased the difficulties of finding a workable solution to this complex problem. Certain elements have resorted to force and terror to obtain their own particular aims. Obviously, this violence must cease if independence is to be more than an empty phrase in the Holy Land.

Mr. Chairman, we must now consider how this Committee is to take the next step in dealing with this question. If the Committee favors the principles of the majority plan, we should establish a subcommittee to work out the details of a program which we could recommend to the General Assembly.

The recommendations reached by the General Assembly will represent the collective opinion of the world. The problem has thus far defied solution because the parties primarily at interest have been unable to reach a basis of agreement. This is a problem in the solution of which world opinion can be most helpful.

False or Distorted Reports

STATEMENT BY MRS. FRANKLIN D. ROOSEVELT
Before the Third Committee of the General Assembly, October 24, 1947

It seems this resolution was introduced with certain political reminders.[1] I should like to say at the start that none of us who followed closely the history of the last war will ever forget the magnificent role which Yugoslavia played, nor, I think, will we ever cease to be grateful for what Yugoslavia contributed to the Allied cause.

But we are here talking about something which means the building up of peace.

Now it seems to me that the resolution presented by the Yugoslav Delegation has a familiar look, and the arguments made for it a familiar ring.

Proposals very like this one, involving the same basic issues, have been discussed by much the same protagonists in the Subcommission on Freedom of Information, in the Economic and Social Council, and in the Social Committee of the Council.

In this session of the General Assembly, a remarkably similar resolution introduced by Mr. Vyshinsky is being considered by the First Committee.[2] And this, the Third Committee, has fully—indeed, exhaustively—discussed a Soviet proposal concerning the Conference on Freedom of Information, parts of which raised the same basic problems as the resolution now before us.

Each time they have come up, Mr. Chairman, the proposals to which I refer have been voted down. In view of what I believe to be the sense of this Committee in its earlier discussions on the Soviet proposal, I believe that the resolution introduced by the Yugoslav Delegation should be similarly rejected on the ground that the discussion of the issues which it raises has already been fully provided for in the provisional agenda of the Conference on Freedom of Information.

I am the first to acknowledge, Mr. Chairman, that from time to time things are said in the United States by irresponsible persons and press organs which might better be left unsaid.

I think the press of the United States would hardly expect me to defend the Chicago *Tribune* or some of the journalists. However, much as I hate what some of our press has said in the past at times, I would defend their right to say it. And I would feel that it was up

[1] U.N. doc. A/C.3/162, Oct. 4, 1947, a resolution submitted by the Yugoslav Government for the prevention of the dissemination, to the detriment of foreign states, of slanderous statements which are harmful to good relations between states and in conflict with the purposes and principles of the United Nations.

[2] U.N. doc. A/BUR/86, Sept. 18, 1947.

to the people to choose between different views. The right of people to speak is essential.

There are 140 million people in this country, all of whom have the constitutional right of freedom of speech.

There are more than 1,700 daily newspapers in the United States and almost 10,000 weeklies. The overwhelming majority of these are independent, individual units, locally owned. Even in the case of the dailies, about 83 percent are locally owned and only slightly more than one out of five is connected with a chain. The largest chain in the United States consists of less than 20 dailies.

Each of these papers is free to report world news and to comment on this news as it likes.

Out of this total of 140 million citizens, 1,700 daily newspapers, and 10,000 weeklies, there are bound to be some extremists. There are two ways in which these extremists can be handled. One way is to put them in jail; the other is to argue with them in the open and bring them under the weight of wiser opinion. We prefer the latter.

This may be difficult to understand in countries accustomed to a system of complete, monopolistic control of all organs of opinion.

The problem raised by the Yugoslav proposal is a matter of serious concern to the United States, and my Government is anxious that this problem be faced frankly and squarely.

For many months, a systematic campaign of propaganda has been waged by and in certain countries against the United States and other democratic nations which share our fundamental beliefs. This campaign is designed to estrange existing feelings of friendship toward the United States and its democratic friends, to lessen confidence in them, and to isolate them morally.

The United States seeks to protect the independence of other states and to attain peace through the United Nations; yet we are pictured as "aggressive", "imperialistic", and "warmongering" frantically preparing for a third war.

The United States is economically strong, her people are producing more than they have ever produced before; yet in order to lessen confidence in international cooperation with the United States, there has been for two years a flood of propaganda about an alleged coming American depression.

The United States is a democracy in which the people can change their government by their own votes. When any one group has become too strong, the people have put restrictions on them and have taken the power back in their own hands. Yet we are bombarded with propaganda that the United States is dominated by "Wall Street", is supporting "Monarcho-Fascists", "imperialists", "cartelists", "dollar-

worshipers", and "feudalists" the world over against the wishes of the people concerned.

The people of the United States have given those things they have produced with their own hands—foodstuffs, coal, and manufactured goods—to nations who have been made hungry and needy by the war, in order that those nations may again become economically strong and politically independent; yet there is propaganda that the United States is not a sincere friend because its intentions are selfish and evil; that the United States is not a useful friend because it will fail in the hour of need; that the United States is not a worthy friend because of the bad company it keeps.

The chief element of concern to my Government in this situation is not that the United States is being criticized or maligned. We do not object to the fact that we are subject to criticism in any free press or over any free radio in the world. The concomitant of the doctrine of freedom of information is that every government is subject to criticism from all interested sources.

What is of grave concern to my Government is the growing practice of erecting tight governmental monopolies over the information disseminated in many nations of the world. Sometimes what is printed in the controlled press of these countries is not false so far as it goes, but the whole truth is rarely told. A careful selection of items is made to build up the desired general picture, and the rest of the news is frequently omitted or distorted. I think those of us who listened to the debates here must know that by this time, because we have heard cited both here and in Committee 1 definite quotations, but we have never heard anything on the other side, and there is, of course, more on the other side that could be quoted. I think that that is something that we ought to remember in discussing what happens in a free press.

A recent example of this technique is the treatment by the controlled press of the statements made by Mr. Vyshinsky and Secretary Marshall at the opening session of this Assembly. Mr. Vyshinsky's address was given copious space, frequently being produced verbatim. Secretary Marshall's statement, on the other hand, received no mention whatsoever in many press organs, and where brief mention was given, the account was slanted in the desired direction. In the United States press, on the other hand, Mr. Vyshinsky's statement was reported fully and fairly in all major press organs, despite the fact that it contained an indictment, among other things, of the American press itself. In this way, the people of the countries in which the controlled press functions are being sealed off from the outside world, kept in the darkness of governmental and semigovernmental propaganda, and systematically shielded from the light of full truth.

The threat to international peace and security is indeed grave when behind these walls of contrived ignorance governments persistently slander governments and official propagandists work to poison the wells of international friendship—without possibility of effective reply.

The problem raised by the Yugoslav resolution deserves careful study with regard to private news agencies but even more with regard to governmental and semigovernmental information services. The time and place for this consideration is obviously the Conference on Freedom of Information at Geneva beginning the next 23d of March.

The Yugoslav proposal clearly falls within the terms of reference of the Conference, which call for the formulation of "its views concerning the rights, obligations and practices which should be included in the concept of the freedom of information".

Item 2 (D) of the provisional agenda reads as follows:

"Consideration of the following fundamental principles to which media of information should have regard in performing their basic functions of gathering, transmitting and disseminating news and information without fetters:

"(D) To help maintain international peace and security through understanding and co-operation between peoples, and to combat forces which incite war, by removing bellicose influences from the media of information."

Item 5 (C) (II), inserted at the instigation of the Soviet member on the Subcommission on Freedom of Information, speaks of:

"(II) Counteracting false information through

"(1) the study of measures for counteracting and spreading of demonstrably false or tendentious reports which confuse the peoples of the world, aggravate relations between nations or otherwise interfere with the growth of international understanding. . . .

"(2) the study of measures, especially legislative measures, which are designed to establish the responsibility of the owners of newspapers which spread false and tendentious reports of a nature which worsen relations between peoples, provoke conflicts and incite to war." [3]

It is therefore clear that the provisional agenda already provides for the discussion of problems of the type raised by the Yugoslav Delegation.

In the opinion of the Delegation of the United States, the remedy to the existing situation does not lie, as the Yugoslav resolution implies, in a further curtailment of freedom of information. Rather it

[3] U.N. doc. E/Conf. 6/1, Aug. 22, 1947.

is to be sought in a vast expansion of freedom of information both internationally and domestically a breaking down of the monopolies and inadequacies of information which now exist in varying degrees almost everywhere in the world.

Self-discipline is necessary, but I do not believe that repression of opinion can be accomplished effectively by law—at least in the many countries which cherish a tradition of freedom of speech and of the press.

Despite our differences in language, national background, and ways of life, one of the magnificent things about the United Nations, to my mind, is that we understand each other as well as we do. It is deeper understanding among peoples and a greater interchange of information and of persons across international boundaries that is called for to remove present distrust.

I do not approve of warmongering. I do not approve of inciting to war. But I do approve of the fundamental freedoms, and I do not see how, by law, one can curtail these freedoms. I think that this cannot be as well discussed here—where we are not experts on the press on the whole, although I know there are some experts here—as it can be discussed and the proper methods found in Geneva in the conference which has already been called.

Mr. Chairman, it seems to my Delegation that the proposal of the Yugoslav Delegation has already been rejected, in principle, by this Committee through action which this Committee has previously taken on the agenda of the Conference on Freedom of Information, which was drawn up after full discussion of the issues now before us; and furthermore that the agenda now includes language which is quite adequate to permit at the Conference full discussion of these issues should such discussion be desired by any delegation. I therefore urge, Mr. Chairman, that the proposal of the Yugoslav Delegation be rejected.

Establishment of an Interim Committee

BY THE HONORABLE JOHN FOSTER DULLES

Before the First Committee of the General Assembly, October 14, 1947

Mr. Chairman: The United States Delegation has proposed that the General Assembly establish an Interim Committee. We believe that this is necessary to enable the General Assembly to discharge its responsibilities under the Charter and to restore confidence in the efficacy of international processes.

When the United Nations was launched, it carried with it many hopes. Countless millions believed that an organization had been founded that would make good on its promise "to maintain inter-

national peace and security". Today there is widespread disillusionment. There are, of course, reasons for that. The organization is only two years old and it was born unto trouble. Also, some disillusionment was inevitable for many hopes were pathetically exaggerated. But that is not the whole story. The truth is that the United Nations can do better than it has yet done. The United States Delegation looks upon this session of the General Assembly as an opportunity to regain the public confidence and the prestige needed for successful survival. If that opportunity is missed, it may not recur.

A root trouble with the United Nations is that its procedures have not kept pace with its problems. That is true both of the Security Council and of the Assembly. At the proper time we shall, as Secretary Marshall has already indicated, have suggestions to make about Security Council procedure. At this point on our agenda we are dealing with the organization of the General Assembly.

The General Assembly has a vast range of responsibilities. It is charged to promote international cooperation in economic, social, cultural, educational, and health fields; to assist in the realization of human rights and fundamental freedoms for all and to bring self-government or independence to the inhabitants of territories under its trust (arts. 13 (*b*) and 76 (*b*)). These are fields of transcendent importance. It may be that the most effective way to develop international fellowship is for the General Assembly to unite the nations to combat the material and spiritual enemies of human welfare.

The General Assembly also has direct responsibilities for international peace and security. The Security Council has primary responsibility in order, as the Charter puts it, "to ensure prompt and effective action" (art. 24), and unless requested by the Security Council, the General Assembly cannot make recommendations as to any matter with which the Security Council is dealing (art. 12) and if "action" is necessary, the Assembly must refer the matter to the Security Council (art. 11 (2)). Subject to this primary responsibility of the Security Council, the General Assembly has broad responsibility.

It may discuss any questions or any matters within the scope of the Charter and it may make recommendations thereon (art. 10).

It may consider and make recommendations on the general principles of cooperation in the maintenance of international peace and security (art. 11 (1)).

It may discuss any questions relating to the maintenance of international peace and security and make recommendations thereon (art. 11 (2)).

It is required to initiate studies and make recommendations for the purpose of promoting international cooperation in the political field (art. 13 (1)).

It may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations (art. 14).

Member and non-member states have the choice of bringing disputes and troubled situations either to the Security Council or to the General Assembly (art. 35).

By such provisions the Charter gives the General Assembly great authority in relation to the maintenance of international peace and security and friendly relations. That authority is partly exclusive, partly parallel, partly residual. The sum total is a responsibility which unexpected events have already made heavy. When the United Nations was established it was generally believed that the war victors would quickly agree on postwar settlements which would satisfy them and which they would want to maintain and that this would provide an initial community of interest such that disputes would be of a character which could readily be dealt with by the Security Council with unanimity on the part of the permanent Members.

It has not happened that way. Victory is now over two years old and the major peace settlements remain to be made. Agreement among the principal victors seems the exception rather than the rule. The peoples of the world are afflicted by international uncertainties and they are frightened by international tensions. In consequence, grave problems are precipitated upon the General Assembly. We do not want them but they are here, and properly here. Already upon our agenda there are such questions as the future status of Palestine, the relations between Greece and her northern neighbors, the independence of Korea, and the Italian peace treaty. It requires no great imagination to visualize many like problems which may be on the agenda of the next session.

Of course, the Assembly can disregard its mounting responsibilities and try to get along with working six or eight weeks each year.

A probable result of that would be that, attempting to do too much in too little time, the Assembly would do nothing well. Each year there are many important administrative matters which must be dealt with. Also, the Assembly ought not to neglect the social, economic, and human-rights tasks for which it has sole responsibility either directly or through its organs or specialized agencies. Already it seems that the Assembly is not giving to these matters as much attention as they deserve, primarily because of the pressure of items relating to the maintenance of international peace and security. If this session deals competently with its present agenda before most of the delegates have to return home, that will only be because there are available the studies made by the Palestine Committee and the Greek Border Committee while the General Assembly was not in plenary session. I suspect

that, before we adjourn, we shall all wish that more preparatory work had been done and that it had been participated in more generally. It is clear that if for ten months of the year the doors of the Assembly are closed and Assembly work ceases, the Assembly will fail in its duty. I am confident that no members want that to happen.

One solution would be for the General Assembly itself to stay in plenary session for the greater part of each year. That, however, is unnecessary. What takes time is not the final judgment, but the careful preparatory study needed to assure that that judgment will be sound and generally acceptable. Continuous plenary sessions might not promote that result and might even weaken the influence of the General Assembly. It is not a body which has power to legislate; it can discuss and recommend. Discussion can be very profitable if the participants have enough authority so that, if they are persuaded by what others say, they can influence their government's policy accordingly. Recommendations can be very persuasive if made by persons of international prestige. Thus the Assembly ought to continue to be what it has been and is—a place where the leading statesmen of the world meet together. Obviously, however, such personalities have heavy responsibilities at home and they cannot sit out prolonged sessions of the Assembly. Their absence would reduce the value of General Assembly discussions and decrease the weight of General Assembly recommendations.

Another possible solution is for the General Assembly to establish an interim working committee which, while the Assembly is not itself in plenary session, would be available to study matters relating to peace, security, and friendly relations which are committed to it by an expiring session or which are to be on the agenda of the next session. If the interim committee were composed, as no doubt it would be, of persons of outstanding competence in international matters, its work would make it much easier for the General Assembly, in normal plenary sessions, quickly to come to authoritative conclusions.

The United States Delegation believes that that procedure should be tried. Accordingly, we propose that when this Assembly adjourns, it should leave in being an interim committee with four major substantive functions.

A first function would be to consider matters in relation to the maintenance of international peace and security and friendly relations among nations which may be listed with the Secretary-General for inclusion on the agenda of the next regular session. As to such matters, the Interim Committee, in aid of the work of the General Assembly, would consider the subject, investigate the facts, and make its views available to the next session of the Assembly.

If it felt that any matter was so urgent as to require a special session of the Assembly, it could so advise the Secretary-General. These functions might be called "preparatory functions".

As a second function, the Interim Committee would be available to discharge "follow through" functions. Thus, if this present session of the General Assembly makes recommendations in relation to international peace and security and friendly relations which call for continuing attention, the General Assembly might in particular cases assign that responsibility to the Interim Committee.

A third function of the Interim Committee would be to get under way the work necessary to enable the General Assembly to make recommendations regarding the general principles of cooperation in the maintenance of international peace, as contemplated by article 11(1) of the Charter, and initiate studies for the purpose of promoting international cooperation in the political field. The Charter (art. 13(1)) requires the General Assembly to undertake this latter task.

The fourth function of the Interim Committee would be to study and report to the next regular session of the Assembly on the advisability of establishing the Committee on a permanent basis. We frankly recognize that what we propose is an experiment. One of the important results to come out of the work of the Interim Committee during the coming year will be its own conclusions and the judgment of the next Assembly as to whether or not the Committee serves a useful purpose. We have no doubt what that judgment will be, but we realize that a year's experience will help to make clear what should be the precise powers, functions, and procedures of a standing Interim Committee.

Our proposal, of course, contemplates that the Interim Committee shall respect fully the primary responsibility of the Security Council for the maintenance of international peace and security. Thus, it would not study or deal with any dispute or situation which at the time was on the agenda of the Security Council. Also, our proposal stipulates that the Interim Committee shall not encroach upon the work of any committees or commissions set up for particular purposes by the General Assembly or the Security Council, as, for example, the Atomic Energy Commission and the Commission for Conventional Armaments. We suggest that the Interim Committee should follow the procedural practices of the General Assembly so that important activities would require the concurrence of two thirds.

Our proposal is carefully drawn to avoid raising any constitutional doubts. It does not contemplate any delegation by the Assembly of any substantive discretionary authority confided to it by the Charter. The Interim Committee would be only an internal organ of the General Assembly to study, report, and recommend to it and not to member

states or other organs of the United Nations. The Assembly has already established many such committees with reference to particular matters, such as atomic energy, the Palestine problem, the development of international law, etc. The only novelty in our proposal is the authority to study, prior to the coming session, matters with which that session will presumably deal. Clearly, the General Assembly can arrange for that if it deems it necessary. It is a generally accepted principle of jurisprudence that a body can equip itself to discharge its responsibilities. The General Assembly is given a broad power to recommend and it can organize and plan its work to enable it to recommend intelligently and without such delay as would rob its recommendations of all significance. Also, it can set up procedures which will promote harmonious action and that, most of all, depends on getting agreement on the facts. If the proposed Interim Committee is more than a "committee", and is a new "organ", that is authorized by the Charter which expressly enables the General Assembly to "establish such subsidiary organs as it deems necessary for the performance of its functions." (art. 22).

The United States Delegation has embodied its proposal in the form of the draft resolution which has been circulated. We make no particular claim to authorship. Others have had similar thoughts and we recall that as early as 1945 The Netherlands Government proposed the establishment of a standing committee of the General Assembly on peace and security. We are not committed to any particular formula or language and we welcome constructive suggestions for the improvement of our proposal. We are, however, determined to do everything within our power to assure that, in some form, the General Assembly equips itself to deal in a wise and timely manner with the great problems which events press upon it. We know that, in such determination, we do not stand alone, and we hope that unity, such as established the Charter, will again prevail to make the Charter work.

Korea

BY THE HONORABLE JOHN FOSTER DULLES

Before the General Assembly, November 13, 1947

Mr. President: There are two resolutions before the members, adopted by the First Committee. The first one was adopted by a vote of 41 to none, and the second by a vote of 46 to none. Those resolutions mean, in essence, that the United Nations is going to try to break the deadlock which has developed in Korea, and which, for two years now, has prevented the achievement of independence for Korea, which it was assumed would automatically come when Japan was defeated.

That has not happened because, as part of the surrender terms, the Japanese in north Korea were told to surrender to the armies of the Soviet Union, and in south Korea, to the United States armies. Those armies thus came into occupation as a military convenience, and it has not been practicable to find a way to get them out and to restore independence to Korea.

The United States has always assumed that independence would quickly come to Korea upon the defeat of Japan. As soon as that defeat happened, we had a conference in Moscow with the representatives of the Soviet Union, so as to clear up the situation resulting from the presence of our two sets of troops in Korea. That agreement did not work. The members have just heard from the Representative of the Soviet Union his interpretation of the reasons why it did not work. I could give you another set of interpretations, but I do not think it worthwhile to burden the General Assembly with a recount of the sad history of two years of bickering and dispute, where the Joint Commission of the United States and the Soviet Union was unable to agree even to begin consultations with the Korean people, because we could not agree upon what was the proper definition of the word "democratic", which was used in the Moscow agreement. That deadlock occurred and has now gone on for two years. Because it was preventing 30 million people in Korea from getting the independence which all agreed was their right, the United States, after first trying to get a four-power conference, including the Soviet Union, the United Kingdom, and China which were also parties to agreement on the independence of Korea, and which four-power conference was rejected by the Soviet Union, finally brought the matter here to the General Assembly.

We had a long discussion in the First Committee, which dealt basically with three propositions; first, should the General Assembly do anything about it at all; second, should we act now or wait until we could get representative Koreans to New York; and third, if we acted now, should we act on the basis of trying to get the troops out first and create a government afterwards, or try to create a government first and get the troops out afterwards?

There was very little difference of opinion on the first proposition that the United Nations should properly do something to help the Korean people get their independence, in view of the long deadlock and the exhaustion of other possible methods of relief. So we passed on to the second proposition which was the question of procedure. Should we start here, at this session of the General Assembly, or should we try to get representatives from Korea here to talk over matters with us?

The Soviet Union presented a proposal to the effect that we should not do anything until we had brought duly elected representatives of the Korean people here, so that we could have their views before we did anything.

Obviously, that proposal was one which would have meant doing nothing as far as this year is concerned. It would have been wholly impracticable, during the life of this rapidly expiring session of the General Assembly, to have brought from Korea what the Soviet Union Delegation called "duly elected representatives of the Korean people".

In passing, I just wish to mention that the question of who would be the "duly elected representatives of the Korean people" in itself raised the very problem which we were trying to avoid by asking the General Assembly to act. According to the point of view presented by the Soviet Union and the Ukrainian Soviet Socialist Republic in the First Committee, there were no "duly elected representatives of the Korean people" in south Korea, and it was only in north Korea that such representatives could be found. Therefore, the essence of such a proposal would be to bring here, at some time or other—I do not know when—some representatives of north Korea, and no representatives of south Korea where two thirds of the Koreans live.

That was the proposal for consultation, and it would have been wholly inadequate because it would have prevented any representation of two thirds of the Korean people. In any event, it could not have taken place in time to enlighten this session of the General Assembly, and the whole matter would have gone by for another year.

The United States proposed an amendment to the Soviet Union resolution concerning consultation, to the effect that instead of the consultation taking place here in New York, the United Nations could quickly send a commission to Korea to consult with the representatives of the Korean people.

That resolution, with procedure for effective consultation quickly with the people of both north and south Korea, and without waiting another year, was overwhelmingly adopted in the First Committee by a vote of 41 to none. In that way we have made effective provision for consultation with the Korean people.

Then we came to the final proposition of what we should recommend as the procedure for breaking the deadlock. The Soviet Union introduced a resolution, as I have already indicated, to recommend to the General Assembly that the occupying troops should be immediately withdrawn from Korea, leaving the Koreans to establish their Government under the conditions which would exist immediately upon the withdrawal.

It was the view of the United States Delegation that to do this would

almost certainly mean chaos and probably civil war for the Koreans, and that instead of effectively giving them freedom and independence, and all the benefits which would come from liberty, it would have plunged Korea into chaos for many years. It seemed to us that the orderly procedure to follow was to end the military occupation of Korea as quickly as possible, but only after it had served as a bridge between the Japanese occupation, which is ended, and the creation of a new central Government in Korea.

Now we realize full well, and we have said perfectly frankly, that a military government—even the best military government—is not a very good government. But even a military government can be better than no government at all. If it is a temporary situation to provide a bridge to a stable Korean government, then it is worth while to continue it. Such continuance would be carried out under the auspices and under the eyes of a representative commission of the United Nations, which would be there to observe, and to see that there was prompt transition through the election of representative Koreans, who would meet together in a national assembly and set up a government. This proposal would be geared to a very quick timetable, with no delay about it. It was proposed that the election should be held not later than 31 March 1948, and then the troops would be withdrawn immediately thereafter and, if physically possible, within 90 days, so that this whole process would have taken less than six months from the date on which we are talking here.

I may say that the general conception that there should first be established a provisional government, under the conditions of order created by the presence of the troops there, was a conception agreed to by the Soviet Union at the time of the Moscow agreement of December 1945. That agreement contemplated that there would be the occupation and the Joint Commission of the two powers, which would consult with the Koreans; that there would then be established a central government; and that only after that—and, indeed, after a proposed period of trusteeship—would full independence be granted and the troops withdrawn.

It is perfectly obvious—any sensible person knows it, and it was the premise of the Moscow agreement of 1945—that the orderly procedure was to have the troops there to maintain order, because there was no government in Korea to maintain any order whatsoever. You first have to have a government with the normal processes for maintaining order. As quickly as their purpose is accomplished, the troops are withdrawn. If you try to withdraw the troops before that has happened, it is certain that there will be chaos and probably civil war, and a very bad time indeed for the Koreans, whom we are ostensibly trying to help.

That was the overwhelming verdict of the First Committee, which, by 46 votes to none, adopted a proposal along the lines of the one submitted by the United States. The United States proposal involved sending out a commission to Korea, consulting with the Koreans, holding a prompt election of delegates to a national convention, establishing a government with the machinery of order in its hands, and then getting the troops out.

A good many things were said in the First Committee—and some of them, although not so violent and extreme, have been repeated here—to the effect that the United States administration in south Korea is not a very good administration. Charges have been made, in fact, that it is a very bad administration; that it is worse than the Japanese administration; that there are wholesale arrests and murders and imprisonments for all kinds of political crimes, and so forth and so on.

As I have said, we do not believe that any military government is by any means a perfect government. We think that it should be wound up as rapidly as is consistent with the welfare of the Koreans. Above all, we believe that there should be sent to Korea a commission representing the United Nations, so that it may see for itself what the conditions are. What struck all of us in the First Committee, I think, was this: that although conditions are painted as being so perfect, as being a virtual paradise, in north Korea, and as being such a hell on earth in south Korea, it was the United States Delegation which took the initiative in urging that the United Nations should send a commission to Korea to see for itself what is going on, and it was the Soviet Union Delegation which took the position that it would have nothing to do with such a commission.

If this resolution is adopted, as I am confident it will be, the temporary commission will go to Korea and see the conditions there. I know it will not find in south Korea conditions that are perfect. However, it will find there a United States administration which is sincerely working in the interests of the Korean people, which wants to see a central government established, and which then wants to get home—and get home fast. And that, I can assure you, is also the wish of the United States Government.

I believe that by means of this program, with its quick timetable, there is a good chance that, through the good offices of the United Nations, there will at long last be brought to the Korean people the freedom and independence which is certainly overdue and which, in line with the principles and ideals of the United Nations, we ought to help them to achieve.

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The Veto

BY THE HONORABLE JOHN FOSTER DULLES
Before the First Committee of the General Assembly, November 17, 1947

MR. CHAIRMAN: The so-called "veto" question is one of great complexity.

The present Security Council voting procedure came about partly as a matter of *policy* and partly as a matter of *principle*. The *policy* sought to be served was the maintenance of big-power harmony. The *principle* sought to be served was that Security Council decisions, which might be based on political considerations rather than upon law, ought to operate only if there is a high degree of world unanimity. That principle is still valid. It may, therefore, be useful first to consider its scope—then we shall see how large an area remains subject only to policy.

The Security Council is not merely an executor of international law. To an extent it may be a maker of law in the sense that its acts may be the precedents which develop unwritten law. Also, to an extent it is a political body, making decisions that seem expedient. Some speak of the Security Council as though it were a world sheriff or policeman. The analogy is far from perfect. A sheriff or policeman does not make the law. There are other procedures for that. The sheriff or the policeman merely carry out the law. They have no discretion in the field of policy. If it were not so, the policeman would not be a servant, but a despot, not a shield but a menace. He would personify the rule of men, not of law.

Today international law is not sufficiently adequate or sufficiently precise to provide a clear answer to many problems that may confront the Security Council. Under these circumstances, its decisions may reflect considerations of policy and of expediency, as well as the views of individual members as to what they think the law ought to be.

The Assembly is trying to make good the present inadequacy and indefiniteness of international law. One of the important provisions introduced into the Charter at San Francisco was the requirement that the Assembly seek "the progressive development of international law and its codification" (article 13(1) (*a*)). Last year the Assembly set up a committee to study how best to carry out that mandate and this present Assembly presumably will get under way the actual work of developing and codifying international law. Last week the Assembly charged the new Interim Committee to study how to develop "the general principles of cooperation in the maintenance of international peace and security" (article 11 (1)) and how to promote "international cooperation in the political field" (article 13(1) (*a*)). Also, efforts are being made to develop agreed rules of conduct and stand-

ards in certain special fields. This is one of the tasks of the Atomic Energy Commission and additional rules may come out of the work of the Commission on Conventional Armaments.

Thus work has begun which may develop and codify international law and special rules of conduct. As this happens it will progressively make smaller the arc where principle requires maintenance of the "veto". The Security Council will more and more become the guardian and implementer of agreed law and its decisions under such law should more and more be automatic and not subject to anyone's right of veto. We cannot, however, expect this development to be rapid. For some time yet Security Council decisions may continue to reflect a considerable ingredient of policy and expediency and the application of what some, but not all, consider to be the law. So long as that is so, such decisions ought, as a matter of principle, to be subject to special voting procedure. The rule of permanent-member unanimity is a protection of all the powers, great and small, against action which, as regards some, might be arbitrary and despotic. Mr. Vishinsky has referred to the "veto" as such a protection and, in this sense, I agree with him.

It might be objected that members which are not permanent members of the Security Council are not technically protected by the present voting procedure. But in substance all members are safeguarded against arbitrary action by a requirement that all permanent members and at least two non-permanent members must concur before any decision altering substantive rights can be imposed. The United States and no doubt others would be reluctant to subject itself generally to the will of a majority who might not represent world-wide opinion and who are not bound by law, but are free to act in accordance with their views of policy and expediency. That would be to accept rule which might be despotic. None should seek to impose that on others.

Let us now look at the Charter, to see the area within which Security Council decisions, as a matter of principle, ought to be taken only with a large degree of unanimity.

Broadly speaking, it would seem that Security Council action under chapter VII ("action with respect to threats to the peace", etc.) should, as a matter of principle, be subject to stringent voting requirements. The power of action is so vast, so unrelated to any defined law, so subject to considerations of national policy and expediency, as to create a danger of despotism unless there is such unanimity that the action can fairly be said to reflect the judgment of the overwhelming majority of the world community. The present voting procedure is calculated to assure that and is thus a protection of the minority against a possibly arbitrary majority.

The situation is different as regards chapter VI dealing with the pacific settlement of disputes. There, in the main, Security Council action is not so much substantive as procedural, using the word "procedural" in a liberal sense. Within this chapter there lurks little risk of despotism. The Security Council may "call upon the parties" to a dispute to settle it by "peaceful means of their own choice" (article 33). The Security Council may investigate the facts of any dispute (article 34). It may recommend methods of adjustment, taking into account that "legal disputes should as a general rule be referred by the parties to the International Court of Justice" (article 36). It may, if all the parties so request, make recommendations with a view to the pacific settlement of a dispute (article 38).

It would not seem that, as a matter of principle, stringent voting procedure should be required as a condition to the Security Council doing such things. There is, perhaps, one provision of chapter VI as to which special voting procedure could reasonably be urged. That is the provision of article 37 (2) which authorizes the Security Council, irrespective of the consent of the parties, "to recommend such terms of settlement as it may consider appropriate". This provision is much like the provision of chapter VII requiring the Security Council to "make recommendations" with a view to maintaining international peace and security (article 39). Should these two powers of recommendation be subject to identical voting procedure and if so what? Should a distinction be made between chapter VI and chapter VII recommendations? This point and others which could be mentioned illustrate the complexity of the problem. In the main, however, it seems that reasons of principle do not require special voting procedure in the case of chapter VI action, or to organizational matters, including the election of new members.

Let us turn now to the question of whether, as a matter of policy, the veto should be preserved even where not required as a matter of principle. The policy originally was to preserve great-power harmony by requiring that almost all Security Council decisions should be joined in by the five permanent Members. Certainly harmony among the permanent Members is devoutly to be desired and any procedure which would promote that ought to be preserved. The so-called middle or small powers would themselves be most anxious to preserve great-power harmony, because they may suffer most from great-power disharmony. Unhappily, however, despite the United Nations voting procedure, the great-power harmony which at San Francisco it was sought to preserve has to a considerable extent ceased to exist. It largely grew out of common effort against a common enemy and began to disappear with the defeat of that common enemy. The task now is not so much one of preserving unity as of recreating

it out of the vast area of common interest and common need which still exists. So it is that the policy aspect of the matter has changed since San Francisco. It cannot honestly be said that any great policy is served by making almost all Security Council action depend on five-power unanimity. On the contrary, that has caused frustration and recrimination. The 22 vetoes, only three involving chapter VII action, have not created harmony but ill-will, even as between the permanent Members. They have caused the whole organization to fall in public esteem, and within the organization the bad consequences have not been confined to the Security Council but the repercussions are felt throughout the entire organization.

The United States Delegation has thus come to the opinion that under the present circumstances it would be useful for the Assembly to study the question of Security Council voting procedure pursuant to its right under article 10 to consider and make recommendations with respect to the powers and functions of any organ of the United Nations.

We believe, however, that the problem is so difficult both in terms of what *ought* to be done and in terms of what practically *can* be done that there is need of more consideration than can be given at this session of the Assembly. Accordingly we agree that the problem should be referred to the Interim Committee for study and report to the next session of the Assembly. We believe that that reference should be coupled with a suggestion to the Security Council that it set up a Committee with which our Interim Committee could consult. In that way the views of the Security Council and its permanent Members would be fully taken into account. Also we believe that it would be useful if the permanent Members of the Security Council consulted together on this subject.

There are two special aspects of this matter as to which, perhaps, the position of the United States ought to be indicated. The first is our attitude toward the four-power statement on voting procedure made at San Francisco on June 7, 1945, to which France also adhered.

That statement by its terms was a "statement of general attitude." It did not purport to be an agreement, much less an agreement binding in perpetuity. The views therein expressed were only partly made explicit in the Charter and to the extent that they were not so made explicit, the views were never accepted by the San Francisco conference as a whole. The statement was based on certain assumptions which in the light of developments have proved incorrect. Thus the statement said that "It is not to be assumed, however, that the permanent members . . . would use their 'veto' power wilfully to obstruct the operation" of the facts or to ask states to settle their differences would be apt to initiate a so-called "chain of events" lead-

ing to action under chapter VII. Also it was assumed that it would be "unlikely that there will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply". None of these assumptions has been borne out by events.

In view of all of these considerations, we believe that the parties to the San Francisco statement are free to explore the question of whether, and if so, how, better voting procedure can be put into operation. We feel that, if better procedures can be found, the United States would not be prevented from seeking to achieve them merely because that might involve an attitude not in all respects identical with the attitude taken by the United States on June 7, 1945. We do not, however, abandon that earlier attitude until the matter has been further explored and until we are satisfied as to precisely what is the better attitude to be taken.

The other special matter to which I would refer is the policy of the United States as a member of the Security Council. There we are working to find new and better practices and rules of procedure. That effort may, perhaps, be confined within a rather limited framework. If so, that should not be interpreted as indicating that the United States is unwilling to explore the problem on a broader basis pursuant to General Assembly initiative.

The United States recognizes the paramount importance of seeking in this matter the agreement of all five permanent Members of the Security Council. We realize that without such agreement it will be difficult to accomplish great practical results. Charter amendment requires the approval of all five. It may, perhaps, prove possible to get agreement on certain Charter amendments and certainly there is an important area in which existing procedures could be liberalized without alteration of the voting formula set out in article 27. Also, as indicated, there is much in the present voting procedure which the United States feels ought, under present conditions, to be maintained. We believe, therefore, that the Assembly should proceed carefully, and with consideration for the reasoned views of all the Members whether they be large or whether they be small.

We hope that out of such an approach will come proposals which are both wise and practical and which will enable the Security Council to discharge effectively its primary responsibility for the maintenance of international peace and security.

It may be asked, is this a mere pious hope, or has it substance? If voting in the Security Council is under observation and study currently, throughout the year, almost certainly that will influence Security Council Members to improve their own procedure. Also, serious study on behalf of the Assembly will, I believe, lead to better relations

in this matter between the Assembly and the Security Council. At present there seems a tendency in the Assembly to oversimplify the problem. We are inclined, once a year, to strike out against the so-called abuses on the use of the veto. But we have not seriously studied the problem. I am confident that if there was the kind of study which, for example, our subcommittee gave the matter of establishing the Interim Committee, the next Assembly would approach the problem with better understanding and less antagonism toward a coordinate body. That is the necessary prerequisite to practical progress.

War Criminals, Quislings and Traitors

ADDRESS BY THE HONORABLE CHARLES FAHY

Before the Second Committee of the General Assembly, October 31, 1947

The United States supports the resolution favorably reported by the Sixth Committee, where the matter was considered at great length. The resolution of the Committee was adopted as a substitute for a resolution proposed by Yugoslavia in the Committee—and now proposed again here—which was rejected by an overwhelming vote. The vice of the Yugoslav resolution was that it would have constituted a finding that certain Member states were not carrying out the recommendations previously made by the General Assembly on this subject.

In opening the debate and in continuing it in the Committee, the proponents of the resolution attacked the United States, the United Kingdom, and France, to a lesser degree, charging these nations with failure to carry out their obligations with respect to war criminals and quislings.

There were also unfounded charges, the vehicle for which was a Soviet Union amendment to the Yugoslav resolution, of mismanagement of displaced-persons camps in the western zone of Germany, picturing these places of the unfortunate as hotbeds of war criminals and quislings protected by the authorities who control the western zone—the United States and the United Kingdom.

To have approved the Yugoslav resolution, particularly in the context of the debate, would have been—and would be now—gross injustice. This the Sixth Committee refused to do.

In order, however, that it might not be thought that the action of the Committee in any way tempered previous resolutions of the General Assembly calling for the punishment of war criminals and in order further to set down again certain criteria in connection with that surrender, the Sixth Committee, by the affirmative vote of 35 members, with only seven negative votes, approved the resolution

which the Rapporteur read this morning, which notes the steps already taken regarding war criminals, reaffirms the resolutions of the General Assembly of February 13, 1946, and, on the subject of refugees, of February 12, 1946, and of December 15, last.

The resolution now before us also recommends energetic continuation of the carrying out of responsibilities for the surrender and trial of war criminals. It further recommends that Members of the United Nations who desire such surrender or the surrender of quislings should make their requests as soon as possible—and this is not intended to signify that, if the request has been made already, it need be renewed—that they support such requests with sufficient evidence to establish that a reasonable *prima facie* case exists as to identity and guilt and reasserts that trials should be governed by the principles of justice, law, and evidence.

I may pause to say, in response to the Representative of Poland, that the necessity of submitting reasonable evidence that a *prima facie* case exists does not preclude circumstantial evidence. Thus, it would seem that the resolution approved by the Sixth Committee holds all the ground previously taken by the General Assembly on this subject and covers desirable new ground in the light of present-day conditions and experience.

I feel obliged to give you in somewhat summary form the reasons for the rejection in the Committee of the Yugoslav resolution and the approval of the United Kingdom resolution. The reasons are that, rather than protecting war criminals as is charged, the Government of the United States took leadership in their punishment. The President of the United States joined Mr. Churchill and Marshal Stalin in Moscow, on November 1, 1943, in declaring that war criminals should be punished. The President then sent Associate Justice Jackson, a member of our highest court, to London in the spring of 1945 to negotiate with the Soviet Union, France, and the United Kingdom a charter for an international military tribunal to try the major European Axis war criminals. That was before the General Assembly had come into existence and, of course, before any of the resolutions to which reference has been made.

There is no need for me to enlarge upon the vigorous action taken after that first step initiated by the President of the United States. The facts are part of common knowledge. The significance of the Nürnberg trials is now historic.

But this is not all, by any means. In the early weeks of the occupation of Germany after unconditional surrender, when the Control Council for Germany was established, the United States introduced into the legal directory of the Council a law which became known as Control Council Law 10, thus again taking the initiative. That

law constitutes the basic statute in Germany for the trial and surrender of war criminals. It is patterned in its definition of crimes on the Nürnberg charter. However, it goes further to meet additional needs, including provisions for national or zonal trials as well as international trials, and it sets forth the procedure for the surrender of war criminals.

Before the first great trials at Nürnberg were concluded, plans were laid by the United States for the continuation there of trials of persons of lesser importance, but of none the less serious culpability, under Control Council Law 10. These trials at Nürnberg have continued without interruption to this day; they are going on there at this very minute.

But, again, this is by no means all. In addition, there has been a comprehensive United States program in our zone in Germany, since the first days of the occupation, under the Theatre Judge Advocate of the United States Army. Trials held under him have included those of hundreds of persons involved in crimes incident to the concentration camps in Germany and in violations, elsewhere and otherwise, of the laws and customs of war. More than 1,000 persons have been convicted in that program alone, and those trials still continue.

But, again, this is not all. We have surrendered to Yugoslavia, Poland, Czechoslovakia, the Soviet Union, Belgium, and the United Kingdom, in the aggregate, many hundreds of persons desired by them for trial. Furthermore, as is well known, in conjunction with our allies—and alone, when it has not been feasible to act in conjunction with them—we are continuing a comprehensive war-criminals program in the Far East. And the trials in which we are engaged are judicial trials, and the judgments are judicial judgments, based on the applicable law and the evidence. The trials are open and held before the world. They are not political trials.

Therefore, to have acceded to the reckless and unfounded charge of failure on our part to fulfil our responsibility regarding war criminals would have been a distortion of history, including current history, and this the Sixth Committee refused to do.

It was said in Committee and to some extent repeated here this morning that, in the case of particular individuals, we have not always surrendered as requested. That is true. It is true for the reason that often the request has not been accompanied by evidence even as to the identity of the individual or a reasonable evidentiary basis for surrender, and often for the reason that the person cannot be found in our jurisdiction.

The Sixth Committee refused to pass on individual cases, quite properly deciding that it was not in a position to do so. However, as to each individual case mentioned in Committee, and the one men-

tioned here this morning for the first time, the United States wishes to state that each request to surrender is investigated, and this procedure will be continued. A considerable number of cases are still pending in this condition, and there has been and there is no arbitrary rejection of any request. However, certain criteria must necessarily be applied. Of course, the person requested must be in our custody or jurisdiction, and facts must be supplied or be available to us from our own research to enable us to identify the person requested, and there must be reasonable evidence of complicity in crime. We must not be automatons or rubber stamps. Because in some instances one or the other of these standards is not met, it is impossible to comply with each and every request.

In this connection, the United States surrenders no one for trial as a war criminal who we believe from the evidence is wanted simply as a political opponent of the government making the request and where evidence of complicity in crime is lacking. In our own country and elsewhere, we recognize the fundamental right of political opposition to the government in power. Such opposition standing alone cannot make a person a war criminal or a quisling or a traitor. Surely there can be no difference of opinion about this among the overwhelming majority of the United Nations.

War crimes have been defined by the Nürnberg charter and Control Council Law 10 and by other laws, and no definition includes a political dissident as a criminal.

As to quislings or traitors, while there is no law on this subject comparable to the Nürnberg charter or Control Council Law 10, it has been and it is the policy of the United States to surrender quislings and traitors for trial under the law of the countries which were occupied by the enemy and where these persons actively aided the enemy. However, here, too, we must examine the request to determine whether the person is in our custody, can be identified, and whether there is evidence to put him on trial, evidence either supplied or which can be found in any manner available to us. If so, we do surrender him. If not and if he is neither a quisling nor a criminal, we do not and will not surrender him.

Any other position would be inconsistent with the fundamental rights and human freedoms of which the charter itself speaks.

In that connection, the Council of Foreign Ministers, in Moscow in April 1947, with respect to displaced persons—and the principle is, of course, of general application as well as being applicable to displaced persons—agreed that any war criminal should be turned over "upon satisfactory evidence that the individuals whose surrender is requested are in fact war criminals". It could well be added, "and are in fact quislings", if the request is in fact for alleged

quislings. The Foreign Ministers here were speaking of evidence with respect to the individual, and that is all I speak of. Neither they in Moscow, when they laid down this standard, nor we, in referring to evidence, referred to the need of evidence that crimes were committed by the Nazis, but reference was made only to evidence of individual complicity in a crime. Evidence of Nazi crimes is indeed superabundant, nowhere more than in Poland, the Ukrainian Soviet Socialist Republic, and in other parts of the Soviet Union—indeed, in Germany itself—and some of them have been referred to this morning.

One of the outstanding contributions of the Nürnberg trials is the ineradicable record of the inhumanities committed. It can never be said that they did not occur. History cannot now become confused or unbelievable because the record is full and complete. It is too true and horrible. But let no one imply that the United States was not quick to join her Allies to bring the perpetrators of these horrors to the criminal dock and to do so alone where joint action was not practicable.

It was not necessary for the people of the United States themselves, within their own borders, to suffer these terrible wrongs in order to move them to a leadership in administering justice to the perpetrators of these evil deeds. The accusations and implications which have been made cannot and will not still the sympathy which we extend to the peoples who suffered the inhumanities inflicted upon them by the Nazis. We give our sympathy in full and everlasting measure. We give more—we have given and we shall continue to give the strong arm and the long reach of an aroused sense of justice to bring these criminals to their reckoning. To this end we have been and are devoting our talent, resources, diligence, and determination. That being so, naturally we oppose with all possible earnestness the effort to characterize us, in substance, as harborers of war criminals and quislings.

As to the displaced-persons camp in our zone to which some brief mention was made this morning but to which more elaborate mention was made in the Committee, it was implied that if a person in such a camp stated that he did not agree with the existing state of affairs in the country of his own nationality, we did not require him to return from whence he came. That is not the true situation. A war criminal or quisling is entitled to and receives no protection because he is in a displaced-persons camp, but it is the agreed policy of the General Assembly, embodied in its resolution of February 12, 1946, that a displaced person should not be forced against his will to return to the country of his origin simply because he is a displaced person. However, that is so only if he is not returnable for cause.

If he is a war criminal or quisling he is returnable for cause and is not protected because he is a displaced person or is in a displaced-persons camp. Why should we protect a war criminal or quisling? Simply because he is in such a camp? We do not, but we refuse to force a displaced person who is not a criminal or quisling to return where he does not wish to go. That is the policy embodied in the resolution of the General Assembly.

To show you the state of mind of the United States on the subject of these camps, I would like to say just one further word. We have afforded every possible facility to the nations whose nationals are in these camps to persuade their fellow countrymen to return to their countries of origin. We have welcomed liaison officers to visit these camps and speak to the persons there. We give them full military protection in our zone and in these camps. Undue influence to prevent their return is prohibited. In addition, the United States itself encourages their voluntary return. Thousands have returned. Other thousands do not wish to do so, and we will not force them back against their will. This is the position approved by the General Assembly. If among those who remain there are criminals or quislings, we will continue to cooperate in their return under the standard prescribed by the Council of Foreign Ministers last April in Moscow. But let us not add to the woes of humanity in general or to the crimes against humanity by forcing the innocent to go where they do not wish to go. Let them keep their hopes, because they have little more, and let them keep their faces turned where they wish to turn them.

As to Italy, not a single request to the United States by Yugoslavia for a war criminal has related to a person in our custody with the exception of one who has been tried by a special court and is now in prison. We are not responsible for inability to comply with requests for persons not under our jurisdiction in Italy. As to the person mentioned by name in the Committee and referred to this morning as one writing his memoirs and as to whom we were charged with some responsibility in the Committee—my Government has made further inquiries since the statements were made in the Sixth Committee, and our authorities in Italy have no knowledge as to his whereabouts and cannot identify the place where he is alleged by Yugoslavia to be. I mention this to illustrate that in this as in all cases we are ready to make investigations and to trace down any information supplied to us. We simply cannot undertake responsibilities beyond our competence.

In conclusion, a few words about the resolution approved by the Committee, a resolution which we support. This resolution reaffirms previous resolutions of the General Assembly and recommends that

all members continue with unabated energy to carry out their responsibilities in this connection.

The resolution has the virtue, in addition, which grew out of the debates, of providing that those nations which desire surrender of war criminals or quislings request them as soon as possible, support their requests with sufficient evidence to establish a reasonable *prima facie* case as to identity and guilt, which is little more than was done, if anything more, by the Council of Foreign Ministers at Moscow last April; it reasserts that trials should be governed by the principles of justice, law, and evidence. The resolution is sound and, in each of its principles, is good and should be supported. The United States urges its adoption.

International Economic Cooperation

ADDRESS BY THE HONORABLE WILLARD L. THORP

Before the Second Committee of the General Assembly, October 8, 1947

During the general debate, certain points have been made again and again—and they are the basic facts of our time: first, that the war has left its economic destruction and dislocation everywhere, that there is an urgency about economic problems, a need for sustenance today and hope for tomorrow; and second, that there is a profound need for effective international cooperation and collaboration.

Each country must start its economic program at home, but the boundaries of economic problems refuse to coincide with political boundaries. The effort to achieve the basic economic objectives—increased production, expanded trade, full employment, and financial stability—quickly carries each and every country to considerations beyond its own boundary. The problems themselves are actually international.

There are a number of advantages to be gained from strengthening the international machinery in the economic field. International collaboration should yield a better and fuller understanding of each problem itself. The pooling of national experience, skills, and technicians cannot help but lead to improved analysis. There can be cross-checking and a fuller body of data. The problems will be viewed completely and not in various pieces.

Of course, the ultimate purpose of such work is not merely the preparation of reports and analyses. The consideration of a problem on the international level should also lead to a better and wiser handling of the problem by the individual countries. This is true not merely because of the better understanding of the problem as such but because of the fuller recognition of the implications of action

of one kind or another for other countries. Beyond this, is the significance of an international judgment in effecting action. The authority of the United Nations on economic matters is effective largely through the weight of opinion. I am sure that an expression of considered judgment by any representative international body will have real influence on the action of individual countries. We have seen the effectiveness of this in the case of recommendations for the international allocation of coal and wheat.

Finally, there are situations where international machinery may be used directly as an operating agency, for example, the International Bank for Reconstruction and Development. However, I wish to stress particularly the contribution to the quality and adequacy of the analysis and understanding of these problems which is possible when they are the subject of international consideration, and furthermore the effect which such international consideration tends to have on the behavior of individual countries. These are sufficient justifications for our most earnest endeavors.

There is increasing evidence of the need for international economic action among nations. It had been the hope of the people of the United States that the world's postwar economic problems could be brought within reach of solution by their shouldering a large part of the war cost and by the operation of UNRRA in the relief field and the International Bank in the reconstruction and development field. It was soon apparent that such a program would be inadequate, and we added item after item to our program of postwar assistance. This kind of piecemeal approach has become less and less satisfactory, both to those responsible for our own foreign policy and those concerned with Government expenditures.

The need for a broader approach comes in part from our own requirements. The problems for the American economy are different from those in the devastated areas. The process of making a large supply of dollars available and thereby making it possible to send large quantities of commodities overseas has its own economic complications. It has tended to create shortages in the United States which in turn have created pressures on the price level. It has led to abnormal expansion in economic areas that cannot be maintained if the effort to achieve recovery in other countries is successful and therefore has injected a new element of instability into our economy. And the diversion of the product of our effort to other countries has required forms of economic regulations which are not in accord with our system with its emphasis on individual freedom and initiative. Nevertheless, we have used priorities as have seemed necessary and are even now considering the possibility that certain controls which have been abandoned may need to be revived.

Our policies have been variously described. On the one hand, there are those who allege that the sole purpose of international economic cooperation at the present time is to obtain as much financial assistance from the United States as possible. And on the other hand, there are those who charge that the United States is seeking world domination through the imposition on other countries of skilfully directed assistance programs. If we do not provide extensive aid, we are told that we are heartless and irresponsible; if we do give assistance, then we are acting politically and invading the sovereignty of others. We are told that industrialization is good, but foreign capital, even when invested under a carefully considered international code, is bad. Other countries are warned that the United States will not really give them help and, in the same breath, are told that we are seeking to deprive them of their national independence and to bring their economies completely under our control. The inconsistency among these various allegations and their lack of correspondence with any known facts would seem to indicate that such claims stem from the curious assumption that every act or failure to act by the United States is *ipso facto* wrong, rather than from any objective economic or political criterion. In fact such an approach seems calculated to achieve a minimum of economic cooperation and to disregard the needs and possibilities of jointly seeking economic recovery.

In spite of these various charges and countercharges as to motives, the United States has steadily carried on a large program of assistance. It certainly cannot be measured in terms of direct economic gain to the United States. It has taken the form either of long-term credit or of outright contribution to other countries or international agencies. We have not been demanding an equivalent *quid pro quo*, nor have we attached onerous conditions to our assistance. We have not used our economic strength to extend our power or our property abroad. We have simply recognized our comparative good fortune and have tried to do our share in achieving world recovery, a state most desirable in our own interest as well as in the interest of other peoples. Our basic requirement is that our assistance be used to accomplish the purpose for which it is given—to prevent disease and starvation and to further the processes of economic recovery—and we ask for cooperation toward these ends.

The United States is not in a position to meet the economic needs of the entire world. If we are to help wisely, we need the fullest possible understanding of the problems, since we must, in the last analysis, make some decisions as to priorities, both between domestic and foreign requirements and between different needs abroad. We need the assistance which international consideration can give—to help focus and evaluate the problems, to make sure that our assistance is being used

in the most effective way in collaboration with the efforts of other countries, and to permit a very real degree of planning ahead. It seems to me almost to be laboring the obvious to argue that countries needing aid, as well as countries in a position to give aid, will benefit from continuous international study, review, and cooperation with respect to our economic problems.

Having in mind, therefore, two basic propositions—the urgency of present economic problems and the importance of effective international collaboration for their solution, I should like to comment on a number of the specific points which have been raised in the general debate.

First, we have the general problem of our organization. At the last meeting of the Economic and Social Council, several delegates expressed great concern over the organizational problems raised by the variety of commissions, subcommissions, and specialized agencies. They feared overlapping, duplication, and too shallow a coverage of too wide an area. This same subject has been stressed by a number of those who have spoken in this general debate.

The articles in the Charter which describe the functions and powers of the Economic and Social Council clearly established its authority and responsibility for initiating, reviewing and coordinating activity over the wide range of related subjects within its competence. But the problem of constructing a set of pigeonholes into which economic and social problems can be fitted in neat and orderly fashion has long defied scholars and governments. The problems never come in exact and precise packages. They have complications, ramifications, parallels, and extensions which reach on and out in various directions. From time to time, we ask different questions about the same subject-matter. Sometimes, the central frame of reference may be geographic, sometimes it may relate to a broad objective, sometimes it may be primarily concerned with some commodity or economic process. The scope, whether geographic or functional, may be broad or narrow. Consequently, we have geographic orientation in the Economic Commission for Europe and the Economic Commission for Asia and the Far East, a broad functional orientation in the Economic and Employment Commission and specialized agencies like the Food and Agriculture Organization which deal with limited subject-matter. As a result, it requires little imagination to see how a problem may be eligible for consideration by at least three different bodies, and with ingenuity, it could be placed on the agenda of four or five.

I am certain that there is no simple way of eliminating this condition, no definition of functions so precise as to prevent overlapping. Nor am I certain that it necessarily is an overlap when several agencies

consider what might seem superficially to be the same problem. Possibly much of the same underlying data may be required, but the different agencies will view them from different frames of reference. This kind of overlapping may in fact be valuable, in order to assure consideration of the matter from all angles.

The fear of duplication should, I believe, focus less on the possible consideration of some one problem by several agencies than on the possible repetition of research and staff work. Here there must be a continually watchful eye. Fortunately, the United Nations Secretariat will itself be the staff for the Economic and Social Council and its subsidiary bodies, and thus the prevention of much of the possible duplication is a matter of internal administration. But there must also be the closest working relationship among the United Nations Secretariat, the staffs of the specialized agencies, expert and technical groups in the several governments, and even with certain private organizations so that the full resources of our accumulated information and knowledge can be summoned to our assistance as needed, avoiding wasteful duplication of effort. Good-will and effective liaison, rather than resolutions, are the only effective instruments for avoiding this type of duplication.

Some may have gained the impression from this debate that little has been done about the subject of coordination. It is true that perfect coordination has not yet been achieved, but as the representative of New Zealand has so cogently pointed out, it would be unreasonable to expect too much at this time. For one thing, certain of the specialized agencies have not yet been brought into formal relationship with the United Nations. This matter is now on the agenda of Joint Committee 2 and 3, and it is to be hoped that favorable action will be taken on the agreements. This is the necessary first step toward effective coordination.

Even in anticipation of this step, however, the Economic and Social Council, at its third session, established a standing committee of administrative officers of specialized agencies under the chairmanship of the Secretary-General of the United Nations to implement the agreements between the United Nations and those agencies.

It should be recalled, also, that at the same time that the Council established this Committee it decided, after full debate, not to delegate to a separate committee of the Council the broader aspects of the problem of coordination but to retain this responsibility itself.

Before contemplating the establishment of entirely new machinery for coordination, such as that suggested by our Greek colleague, let us give the existing machinery a fair chance to develop and operate. We know that the Economic and Social Council maintains an active

interest in this important subject and takes appropriate action if the need for change is demonstrated in the light of experience. The Council will certainly take note at its next session of the searching discussions on this subject at this session of the General Assembly.

I am much less concerned with problems of duplication and overlapping than with application. Wasteful duplication will show up quickly enough, assuming reasonable vigilance, and can easily be dealt with. But if economic problems are urgent and they need international consideration, our great problem is to get ahead with the work.

We must recognize that, as in so many other things, we are facing a shortage situation. The United Nations has neither the personnel nor the budget to deal with every problem which might seem worthy of international consideration. While it is appropriate in many cases to establish agencies with broad terms of reference if for no other reason than to establish jurisdictions, they cannot possibly cultivate their fields to the full, especially at the beginning.

It will be easy to spread ourselves over a wide area and touch each subject lightly and ineffectively. That is the line of least resistance intellectually. It is also the line of least accomplishment. We must decide what are the major contributions which can be made through international cooperation and focus our efforts on them. As the French resolution points out, priorities must be established. These should not be based solely on priorities within each field itself but in relation to the needs and potentialities in other fields. These are basic judgments which must be made by the Economic and Social Council. I doubt if we need to take action on this matter here. I am sure that the Economic and Social Council recognizes this responsibility and will now move from the stage of initiation, which has largely dominated its sessions until now, to that of review and coordination and, if I may add another word, of stimulation. Coordination is indeed a serious responsibility but not as serious as the responsibility of stimulating appropriate action by international agencies and governments on matters which come within the purview of the Council.

There is, of course, one area where we have not yet passed the initiation stage, although work was begun at the first session of the Economic and Social Council. I refer to the preparations which have been made for a world conference on trade and employment. The labors of representatives of the nations on the Preparatory Committee for this conference—in London, in New York, and more recently in Geneva—have produced tangible results. When the world conference meets in Habana on November 21, it will have before it for consideration a comprehensive draft charter for an International Trade Organi-

zation. It is the result of the combined effort and judgment of a representative group of countries, in different stages of economic development, and with different economic systems. Although not perfect from the point of view of any single country, it embodies a vast area of agreement and provides a far more stable basis for international economic relations than would have been thought possible before the war. When measured not against the ideal, but against the prewar or present situations, it stands out as a remarkable achievement. We believe that the Habana conference, after careful consideration of the draft, will come to the same conclusion. Here again, we can see the great benefit of international consideration and collaboration.

The Charter provides a general framework of international cooperation for the expansion of trade and employment. However, action is linked to principle, and many trade agreements have been concluded at Geneva. It is to be urged that the remaining negotiations will be completed satisfactorily in order to give the Habana conference a solid basis for accomplishment.

In the years between the two world wars, there was a great deal of international agreement on principles in this field, but national action was largely in contradiction of these principles. This time action and principle are linked.

If my original proposition is true that international economic collaboration is vital, then it follows that it should be encouraged whenever it is directed to the objectives laid down in the Charter. Our Polish colleague could not have given us a better keynote than his proposition that "prosperity is indivisible". This has become increasingly apparent to us as, over many months, country after country has informed us of its economic situation. Each one has found it difficult to plan ahead in the absence of knowledge about the plans and probable course of other countries with which it has important trade and financial relations. The bottlenecks limiting a country's progress have not always been within its own borders. That is why the work of the Committee of European Economic Co-operation is such a constructive step. The fact that so many countries are planning ahead in such a definite way should help each of them, and every other country, in its own planning. And since prosperity is indivisible, the progress which they make should be most welcome to everyone. I find it most difficult even to consider a resolution which seems critical of this effort. It would be much more appropriate to pass a resolution of encouragement and congratulation for such a remarkable demonstration of economic cooperation. The regrettable thing is that certain countries which were

invited to participate in this great constructive effort declined to do so.

It has been alleged that the United States Government set up certain conditions which were contrary to the Charter. There are no such conditions. The only suggestions put forward by Secretary Marshall were that the initiative should come from Europe and that the program should be the product of joint international planning. It takes a high degree of imagination to twist these suggestions into anything contrary to the letter or the spirit of the Charter.

The world's manifold economic troubles cannot be solved by any single, brilliant action or by the efforts of any single country. It will require within each country wise and courageous domestic policies, and among countries genuine international cooperation. Such international cooperation should be achieved not only through existing international organizations and agencies but also through direct and open arrangements between nations. The organizational structure of the United Nations, including the affiliated specialized agencies, was intended to assist international cooperation, not to establish the impractical and stifling principle that all efforts to cooperate in the solution of economic problems must be channeled through existing United Nations machinery.

All of us, I am sure, desire to make the fullest possible use of existing United Nations machinery. I am equally sure, however, that no one around this table would seriously suggest that we stop short when we have done that. Problems which, by their very nature or magnitude, cannot be dealt with effectively or in time through such machinery must be dealt with through other means. This can and should be done in full harmony with the basic principles and objectives set forth in the Charter of the United Nations.

I should like to turn to one assertion that has been made several times—that Germany is to be given some kind of priority in the European recovery program. The United States has a special responsibility in this case. It is true that we believe that the German economic situation must be improved. Germany is not only in bankruptcy today, but it constitutes a serious drag on the economic recovery of all of Europe. With production at 40 percent of prewar, with coal, steel, and fertilizer at exceedingly low levels, it seriously limits the progress that can be made elsewhere. Prosperity is indivisible. It is equally true that depression is indivisible. The lag in German production is clearly too great for the good of Europe. A program to lift German production somewhat above its present low level can hardly be regarded either as giving priority to *German* recovery, as if that were something entirely apart from *European* recovery, or

as recreating the German giant which has twice plunged the world into war. We are fully conscious of the need for security control over Germany and have offered, among other steps, to join in the enforcement of a security treaty which would assure continued demilitarization through inspection for 40 years. But on the economic front, increased German production is a necessary part of any European recovery program. That there is any possibility of German recovery such as to permit tremendous foreign investment by Germany and a revival of German dominance of other countries is just too fantastic to deserve comment.

Several speakers have raised the problem of relief needs and administration. This subject has a separate place on our agenda, and at the appropriate time I shall lay the facts about the American program before this Committee. We believe that it is a creditable record.

One quite unrelated topic penetrated this debate—that of a certain block of Yugoslav gold now in the United States. If I felt that this were a proper subject for discussion here, I should have to take your time to discuss also the status of certain American property in Yugoslavia, but I shall respect the agenda. These matters have been under negotiation for some time between the two governments.

I should like to conclude with a brief plea for a calm and objective appraisal of the work done by the Economic and Social Council, its subordinate bodies, and the Secretariat serving them. Their performance has not been such as to warrant unrestrained praise, neither has it been such as to merit harsh criticism. They have faced very real difficulties; the laborious and complex task of setting up subordinate bodies, the inevitable delays in getting started, partly because of the slowness with which the Governments themselves have, on many occasions, responded to requests for designations or basic information. I believe that we can all be confident that the Economic and Social Council will faithfully discharge the functions assigned to it under the Charter. That being so, let us not make the immensely difficult task of the Council even more difficult by resolutions of the General Assembly which would attempt to give detailed directions to the Council concerning the precise way in which it should seek to carry out its responsibilities.

But more important, let us recognize our own individual responsibilities as full partners in this enterprise. We can make progress if we keep ever in our minds and our hearts the urgency of these economic problems and the great benefit to all of us of economic cooperation.

Information Concerning Non-Self-Governing Territories

ADDRESS BY THE HONORABLE FRANCIS B. SAYRE

Before the General Assembly, November 1, 1947

It is with genuine regret that the United States Delegation finds itself unable to support all the five resolutions with respect to the implementation of article 73*e* of the Charter which the Fourth Committee has laid before the Assembly for adoption. The United States is prepared to support resolutions I and IV as adopted by the Fourth Committee. It is also prepared to move the adoption of resolutions II, III, and V in the form in which they were reported by large majorities from the *Ad Hoc* Committee, which consisted of an equal number of administering Members and nonadministering Members. My Government is convinced, however, that those three resolutions, as now modified by narrow majorities in the Fourth Committee, would take the United Nations so far beyond the Charter framework that they should not be adopted by this Assembly.

In view of the importance which the United States Government attaches to these resolutions, I wish to explain as frankly and clearly as possible the position which it takes in regard to them.

At the outset, let me call attention to the carefully qualified provisions of article 73*e* of the Charter:

1. The information to be transmitted is defined as "statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories". The possibility of including political information was discussed at San Francisco and, after careful consideration, was deliberately rejected.

2. The transmission of the information is made subject to such limitations as security and constitutional considerations may require.

3. The information is to be transmitted "for information purposes".

The Assembly is most certainly aware that in spite of these limitations of the Charter the United States desires to give the widest practicable application to article 73*e*. At the last session of the General Assembly, the United States initiated a proposal that information transmitted to the Secretary-General for information purposes might be analyzed and classified as well as summarized by the Secretary-General for the information of the General Assembly. It has cooperated in a loyal and constructive spirit with the work of the *Ad Hoc* Committee. My Government went beyond the strict requirements of the Charter by voluntarily transmitting information on governmental institutions in the non-self-governing territories administered

by the United States. It has taken these steps in the hope that all Members of the United Nations would cooperate in a constructive but reasonable application of chapter XI.

I believe that a thoroughly practical and reasonable program was worked out in the *Ad Hoc* Committee which met just prior to the meeting of the Assembly. The work of this *Ad Hoc* Committee resulted in five resolutions which were adopted by unanimous or nearly unanimous votes. These resolutions did not represent the views of either the administering Members or the nonadministering Members, but rather the consensus of all 16 Members. Taken together, they constituted a carefully balanced, constructive approach to the problem.

The United States Government, however, believes that the amendments as adopted in the Fourth Committee would sacrifice the possibilities of practical achievement in this field by the making of demands upon administering powers which would invade and apparently transgress their constitutional rights and relations with the territories they administer. If this approach should be followed and further developed in the future, not only is it likely to frustrate the positive work that could and should be done in the interest of the inhabitants of all these territories, but it may actually cause resentments and fears and a consequent reluctance to press forward on the program. As a result, the Members administering non-self-governing territories may find it necessary to ask the International Court to give an advisory opinion on the meaning of article 73*e* of the Charter or even to resort to invoking the domestic jurisdiction clause of the Charter.

The United States Delegation is hopeful and confident that the Assembly will perceive and realize that unusual wisdom and restraint should characterize our actions with respect to chapter XI, which was drafted as a declaration of policy with such thought and care at the San Francisco conference. The nice balance there achieved should not be upset by either the administering or nonadministering powers.

Next, may I briefly refer to each of the specific resolutions before us. Resolution I should, I believe, be supported unanimously by this Assembly. It stands virtually in the form agreed to and adopted in the *Ad Hoc* Committee. It proposes the use of a standard form carefully worked out to serve as a basis for the annual reports required under article 73*e* and suggests an optional category of material which, while going beyond the strict requirements of that article, would undoubtedly prove useful and serviceable.

The second resolution, as adopted by the *Ad Hoc* Committee by a vote of 12 to 1, included a sixth paragraph authorizing the Secretary-General to include in his summaries and analyses such relevant and

comparable data in the statistical services of the Secretariat as may be agreed upon by the Members concerned. The purpose of this paragraph was to provide, as a basis for scientific investigation, that comparisons might be made of conditions in *similar* areas, whether dependent territories or sovereign states. Problems such as health, or labor, or agriculture are not confined to non-self-governing territories. They affect a whole continent, a whole region, or, in many instances, the whole world. These problems cannot be adequately analyzed unless it is possible to make comparisons, not merely between one dependent territory and another but, as appropriate, between dependent territories and sovereign states affected by the same particular problem. The Fourth Committee, however, by a narrow margin of 22 to 18, modified the resolution to provide, in paragraph 6, that comparisons should be made *only* as between the non-self-governing territories and the metropolitan areas of the nations which administer them. With respect to paragraph 6, my Delegation does not consider that a comparison of conditions in non-self-governing territories with merely eight more or less industrialized countries would have any great practical value. Since, under the *Ad Hoc* Committee's resolution a Member must consent to the use by the Secretary-General of the data in question, how can there be any objection to the adoption of a resolution which will permit any Member to agree to its use for purposes of comparison? The United States Delegation feels, therefore, that in its present form, the second resolution, which ignores the international character of economic and social problems, is unacceptable. It, therefore, joins in moving an amendment (A/436) introduced by the Delegations of Brazil, Denmark, France, the Netherlands, Nicaragua, the United States, and Uruguay which would restore the original text adopted by the *Ad Hoc* Committee.

Now let us examine the third resolution which relates to the transmission of information on self-governing institutions in non-self-governing territories. As recommended by the *Ad Hoc* Committee, this resolution states that the voluntary transmission of such information is entirely in conformity with the spirit of article 73 of the Charter and should, therefore, be duly noted and encouraged. My Government, which as a matter of fact had included such information in the reports which it transmitted under article 73*e*, appreciated this acknowledgment of the voluntary action which it and other governments had taken. While it had some misgivings as to the language used in referring to this voluntary action as being "in conformity with the spirit of Article 73", it felt that the use of the word "voluntary" and the general tone of the resolution permitted the United States to support the resolution. The *Ad Hoc* Committee's vote on this resolution, which had been submitted by China, Cuba,

and India, was adopted without a dissenting voice among the 14 members. What happened to this resolution in the Fourth Committee? A Soviet amendment, adopted by a majority of one (the vote being 20 to 19), deleted the word "voluntary" from the final paragraph of the resolution and substituted, in place of the more proper language of the *Ad Hoc* Committee, "noting" and "encouraging" the voluntary transmission of this information, a "recommendation" that this information be transmitted. The effect evidently intended by this amendment is to create an obligation which the Charter clearly and significantly avoids. The United States Delegation, therefore, opposes the third resolution in its amended, present form and joins in moving the adoption of an amendment (A/437) submitted by seven delegations which would restore the language according with the Charter provisions, as proposed by the *Ad Hoc* Committee.

The fourth resolution on the role of specialized agencies with respect to information transmitted under article 73*e* was unanimously adopted by the Fourth Committee as recommended by the *Ad Hoc* Committee. My Government considers this to be a very useful resolution and hopes the Assembly will adopt it.

The fifth and last resolution on this subject is the most important of all. It proposes the creation of a special committee or organ to examine the information transmitted under article 73*e*. A resolution on this subject was initially drafted by the Representative of India in the *Ad Hoc* Committee and after a few amendments was adopted by the *Ad Hoc* Committee without a dissenting vote. This resolution, which I shall refer to as the first Indian resolution in order to distinguish it from the second which was adopted by the Fourth Committee, wisely defined the type of recommendations which it would be proper for the Committee to make and provided that the Committee should be constituted as a special subcommittee of the Fourth Committee which would meet as the General Assembly might decide. What happened to the first Indian resolution as adopted by the *Ad Hoc* Committee without a dissenting voice? It was later abandoned in the Fourth Committee. Instead, the Indian Delegation brought in a new resolution, subsequently adopted by the Fourth Committee by the slight margin of 23 to 19. This resolution leaves undefined the type of recommendations which the special committee may make, thus apparently giving free rein to the proposed committee to trespass as it pleases in fields falling exclusively within the domestic jurisdiction of the administering members. Furthermore, the second Indian resolution gives the special committee an independent and apparently permanent status not unlike that of the Trusteeship Council by making it, not a subcommittee of the Fourth Committee, but a committee or organ of the General Assembly, with

its members elected for a period of two years by the General Assembly and with the power to meet when the General Assembly itself is not in session. This would seem quite out of line with the carefully drawn provisions of the Charter.

The United States Delegation for all these reasons opposes the fifth resolution in its present form and joins with six other delegations in moving an amendment (A/438), which would restore the original text agreed to in the *Ad Hoc* Committee.

The United States Delegation is genuinely and sincerely concerned over the political, economic, and social advancement and welfare of the millions of people who have not yet attained a full measure of self-government. It seeks ways that are practical and ways that are constitutional for achieving this end. Seeking desired ends by departures from the Charter does not make for sound progress. It therefore favors the adoption of the five resolutions as originally agreed to by the *Ad Hoc* Committee. Because the United States Delegation desires that the well-being of these people be fostered in conformity with the provisions of chapter XI of the Charter, it opposes resolutions II, III, and V as reported in their amended form by the Fourth Committee.

Membership in the United Nations

ADDRESS BY THE HONORABLE ADLAI E. STEVENSON

Before the First Committee of the General Assembly, November 7, 1947

A year ago, in debating the report of the Security Council on the admission of new members, this Committee made clear its deep concern over the Security Council's action. Of 8 applicants, only 3 had survived the Security Council's proceedings so that the Assembly could vote on their admission. Of the five rejected countries, three, Transjordan, Ireland, and Portugal, had been excluded by vetoes of the Soviet Delegate. Each of these 3 applicants received 9 or 10 votes. In the Security Council the Soviet Representative had been somewhat ambiguous in explaining his veto of Transjordan but not in explaining his vetoes of the applications of Ireland and Portugal. He had stated simply and clearly that they were based on the lack of diplomatic relations between the Union of Soviet Socialist Republics and these countries.

These vetoes and the grounds given for them were criticized sharply in this Committee. Delegation after delegation stated its belief that these applicants were fully qualified under the Charter and deserved to be admitted. The Assembly adopted a resolution requesting the

Security Council to re-examine all five rejected applications on their merits under article 4 of the Charter.

In these Assembly debates last year, the Soviet Delegation came forth with a new reason for the Soviet vetoes of Ireland and Portugal in the Security Council. The new reason was a vague and general charge that the conduct of these two countries during the war had not been satisfactory. This Committee rejected by a large majority the efforts of the Soviet Delegation to write into the General Assembly resolution its new criterion of behavior during the war as a test of qualification for membership.

The Security Council accepted the General Assembly's recommendation to re-examine the applications. In the Security Council's proceedings, however, the Soviet Delegate again vetoed the admission of Portugal, Ireland, and Transjordan, which were each supported by 9 or 10 members. The only difference was that his previous statements were amplified somewhat. As before, the Soviet Representative in the Membership Committee of the Security Council and in the Security Council itself gave as one ground the lack of diplomatic relations with the Soviet Union. But it was this time explained that diplomatic relations with the Soviet Union have some special significance in determining the qualifications of a state for membership in the United Nations under article 4 of the Charter. The reasons for this special significance were not made clear.

The argument that Ireland and Portugal had behaved badly during the war—an argument which this Committee of the Assembly had expressly rejected—was used as an additional ground for Soviet opposition in the Security Council.

But Transjordan, Ireland, and Portugal were unfortunately not the only states which were excluded by Soviet vetoes in August 1947. Recommendations that Italy and Austria be admitted to membership at such time and under such conditions as the General Assembly may deem appropriate were defeated: Italy by a vote of nine in favor, one against, and Austria by a vote of eight in favor, two against, the Soviet Union in each case vetoing the recommendations. When in September, after ratification of the peace treaties by the Union of Soviet Socialist Republics had finally brought these treaties into force, Finland presented its application, the United States proposed reconsideration by the Security Council of Italy's application, and Poland proposed the admission of all the five treaty states. Poland and the Soviet Union then called for a decision on these states in one block without consideration of their individual merits. The Soviet Representative declared that he would vote for all five but would not permit the admission of any one unless all were admitted. When other Members opposed Hungary and Bulgaria, the Soviet Delegate

vetoed the applications of Italy and Finland, which each received nine votes. Of all the wrongful vetoes of the membership applications, these seem to us the most indefensible. Having clearly admitted that these two states meet the qualifications set forth in article 4, the Soviet Representative vetoed these states because the other members of the Security Council did not deem the other three states—Rumania, Hungary, and Bulgaria—qualified under the Charter.

This, Mr. Chairman, is the record of the consideration *and the reconsideration* of the applications of Italy, Ireland, Portugal, and Transjordan, and I submit that it is a melancholy record. My Delegation believes that in the light of article 4 of the Charter the continued exclusion of these states by the abuse of the veto of the Union of Soviet Socialist Republics cannot be defended. My Government is concerned, moreover, with the unfair and inequitable treatment of Austria, which was not an enemy state but a victim of aggression. Finally, the exclusion of Finland by the use of the veto is, of course, as unjustifiable as that of Italy. I shall set forth our views on these states in detail at a later stage in the debate. I shall also set forth our views as to the other rejected applicant states, which we do not consider qualified for membership.

The problem before us now, Mr. Chairman, arises from the unhappy fact that states have been excluded from the United Nations because the provisions of the Charter have not been applied by one member of the Security Council. Admittedly qualified states have been excluded for no reason. Other states have been excluded because they did not have diplomatic relations with the Soviet Union or because it did not admire their behavior during the war.

The question as to what action the Assembly shall take in order to secure, if possible, the fulfilment of the terms of the Charter is a serious one. My Delegation does not doubt that some action by the Assembly is required. But the question is what action is in accordance with the Charter and what action is likely to be effective.

In the various draft resolutions before the Committee, three alternative courses seem to be proposed. At the moment, I shall indicate only briefly the views of my Delegation concerning them.

The first course is that proposed in the resolutions presented by the Delegate of Argentina. These resolutions aim to solve the problem at one blow by admitting Transjordan, Ireland, Portugal, Italy, Finland, and Austria forthwith.

However, the resolutions proposed by Argentina appear to us to involve serious Charter difficulties. While we will continue to give the most careful consideration to the views and evidence presented, the evidence seems to us to support decisively the view that the General Assembly cannot admit an applicant without a recommendation

in favor of admission from the Security Council. The General Assembly need not accept that recommendation, but the General Assembly cannot admit a state without it. This view is, despite the material presented by Dr. Arce, in our opinion strongly supported by the legislative history of article 4. Moreover, the practical construction given to this article by the General Assembly and the Security Council in the adoption of their rules of procedure and in their action concerning membership applications is uniformly in support of the same view.

The second course is that proposed by the Swedish resolution. That resolution declares, as you know, the doctrine of universality and recommends that the Security Council reconsider the applications of all the rejected states, regardless of whether or not these states are believed by the Assembly to meet the qualifications set forth in the Charter.

I believe that the views of my Government on the so-called doctrine of universality are well-known. We hope that some day all states will become members of the United Nations. We have made earnest efforts to achieve this in as large measures as possible. Universality is our ultimate aim and, I am sure, the aim of the great majority of other Members of the United Nations. But since we act under the Charter, this universality must be the *universality of qualified members*, not blind universality regardless of the Charter. We look forward to the time when all states will qualify for admission under the Charter, when all states will be peace-loving, will accept the obligations of the Charter, and will in the judgment of the Organization be willing and able to carry out these obligations. This does not, however, enable us to evade the question squarely presented to us in the case of each application as to whether the applicant may fairly be said to fulfil the conditions set forth in article 4 of the Charter.

A third course is that proposed by the joint Argentine-Brazilian-Chilean resolution and the Australian resolutions.

The United States Delegation agrees with the substance of the joint Argentine-Brazilian-Chilean resolution as far as it goes. We feel, however, that this resolution is not entirely complete. It does not provide any method for its implementation. It would be acceptable to us if it contained a clause requesting the Security Council to reconsider these applications in the light of the Assembly's declaration.

The resolutions submitted by Australia contain this needed implementing clause. They have another advantage in that there is a separate resolution covering each qualified applicant. This is proper as we should maintain the principle that each application should be considered on its own individual merits. The United States Delega-

tion, therefore, gives its full support to the resolutions submitted by the Australian Delegation. In so doing, we believe we do not deviate in any way from the principle of the Argentine-Brazilian-Chilean resolution.

We note, however, that the Australian Delegation has not submitted a resolution on Austria. We believe that after considering the Austrian application, the Committee will wish to adopt a somewhat similar resolution on Austria.

In the Security Council reconsideration of the various applications, the United States will not presume to act as the sole judge of a state's qualifications. We will not obstruct a majority decision as to a state's qualifications. Accordingly, the United States will not exercise its right of veto in the Security Council to exclude from the United Nations any of the present applicants which the Assembly determines are qualified for membership. The United States will go even further and will accept the elimination of the veto in the Security Council in connection with applications for membership. In the Assembly, however, the United States will vote against the application of states which it considers not qualified for membership.

To sum up, Mr. Chairman: In view of my Delegation, a fresh approach to the problem of the rejected applications is necessary. That fresh approach can be made only by the Assembly. It is therefore our view that the Assembly should now take unequivocal action to state which applicants it deems to be qualified and to recommend to the Security Council the reconsideration of those applicants.

Appendix IV

UNITED STATES REPRESENTATION IN THE UNITED NATIONS

General Description

REPRESENTATION AT THE SEAT

The United States is represented at the headquarters, or seat, of the United Nations in New York by a Mission. The principal function of the Mission is to assist the President and the Department of State in conducting United States participation in the United Nations. It carries out the instructions of the President, as transmitted by the Secretary of State, in United Nations bodies at the headquarters of the United Nations and serves as the main channel between the Department of State and the various United Nations organs, agencies, and commissions at the headquarters, as well as delegations of other nations to the United Nations. Thirty-nine Members of the United Nations in 1947 continuously maintained missions, or delegations with offices, at the headquarters of the United Nations, and more are being established.

The basic structure, organization, and functions of the United States Mission have been determined in the main by the following factors:

1. The requirements of the United Nations Charter;
2. The provisions of the United Nations Participation Act (Public Law 264, 79th Congress, 1945);
3. The President's Executive Order 9844; and
4. The accumulated experience of the United States Delegations to the Dumbarton Oaks Conversations, the United Nations Conference on International Organization at San Francisco, and the Preparatory Commission of the United Nations at London.

When the United States first established representatives and a staff at the New York headquarters of the United Nations in March 1946, they were collectively known as the United States Delegation to the United Nations. The first year's operations in New York involved such a rapid filling-out of the organization and widening of the activ-

ities of the United Nations that the original United States Delegation had to be adjusted accordingly. For the purpose of defining further the functions of the United States Representative at the seat of the United Nations, the President issued Executive Order 9844 on April 28, 1947, which renamed the Delegation to be "United States Mission to the United Nations", designated the Representative at the seat of the United Nations to serve as Chief of Mission, and charged him with the coordination, at the seat of the United Nations, of the activities of the Mission. According to this Executive order, the Mission is comprised of the following:

"The Representative at the seat of the United Nations, the Deputy Representative to the Security Council, Representatives in the Economic and Social Council and its Commissions, the Trusteeship Council, the Atomic Energy Commission, the Commission for Conventional Armaments and the Military Staff Committee, and representatives to organs and agencies of the United Nations hereafter appointed or designated and included within the United States Mission to the United Nations herein provided for, together with their deputies, staffs and offices . . . ."

In this connection, the United Nations Participation Act (Public Law 264, 79th Cong.) specifically provides that the President or the Secretary of State may represent the United States at any meeting of any organ or agency of the United Nations.

The Mission has a staff which consists of a small number of advisers and a secretariat, under a Secretary-General and a Deputy Secretary-General. This secretariat deals with the administrative operations and provides the Mission and also our General Assembly delegations with United States and United Nations documents, reference work, daily summary reports of United Nations meetings, telephone and telegraphic services, transportation, personnel, fiscal, supplies, and maintenance services. It is equipped to deal with an almost uninterrupted series of conference activities throughout the year. During certain sessions of the various councils and commissions and particularly during the General Assembly sessions when extraordinary duties of negotiation and of technical services are involved, special advisers are temporarily assigned to New York by the Department of State or other Government agencies, and temporary assistants are added to the secretariat staff.

ADDITIONAL REPRESENTATION

The representation thus maintained at the seat of the United Nations by the United States at this time provides for our participation

in all of the principal organs except the General Assembly, the International Court of Justice and the United Nations Secretariat (on which there is no national representation), and all but two of the commissions of the United Nations. United States Delegations to the General Assembly are separately appointed and are not included in the Mission but utilize its facilities and personnel at the time of meetings. The United States Delegation to the regular sessions of the United Nations General Assembly consists usually of five representatives and five alternate representatives, appointed by the President and subject to Senate confirmation, and advisers and assistants drawn from Department of State and Mission personnel. The Secretary of State has to date always acted as Senior United States Representative on these delegations.

Other United States representatives to bodies of the United Nations, not members of the Mission, include the Representative on the Economic Commission for Europe, which has offices in Geneva, and the Representative to the Economic Commission for Asia and the Far East, which has as yet established no fixed headquarters. These representatives report directly to the Secretary of State.

United States Representatives to the United Nations, Its Organs, Subsidiary Organs, and the Specialized Agencies, 1947

United States Representative and Chief of United States Mission to the United Nations:

Warren R. Austin

Deputy Chief of United States Mission to the United Nations:

Herschel V. Johnson

Deputy to the United States Representative to the United Nations:

John C. Ross

THE GENERAL ASSEMBLY

Special Sesssion on Palestine, New York, April 28–May 13, 1947

Representative:

Warren R. Austin

Alternate Representative:

Herschel V. Johnson

Second Regular Session, New York, September 16–November 29, 1947 [1]

[1] Committee assignments during this session are shown in the following section of the Appendix.

Representatives:

Secretary of State George C. Marshall, Senior Representative
Warren R. Austin, Alternate Senior Representative
Herschel V. Johnson
Mrs. Franklin D. Roosevelt
John Foster Dulles

Alternate Representatives:

Charles Fahy
Willard L. Thorp
Francis B. Sayre
Adlai E. Stevenson
Maj. Gen. John H. Hilldring, U.S.A. (Ret.)

THE SECURITY COUNCIL

United States Representative:

Warren R. Austin

Deputy United States Representative:

Herschel V. Johnson

THE ATOMIC ENERGY COMMISSION

United States Representative:

Warren R. Austin

Deputy United States Representative:

Frederick H. Osborn

THE COMMISSION FOR CONVENTIONAL ARMAMENTS

United States Representative:

Warren R. Austin

Deputy United States Representative:

Ralph A. Bard; Frederick H. Osborn, beginning January 19, 1948

THE MILITARY STAFF COMMITTEE

United States Representatives:

Army:	Lt. Gen. M. B. Ridgway, U.S.A.
Navy:	Admiral R. K. Turner, U.S.N., Jan. 1–Mar. 31
	Admiral H. K. Hewitt, U.S.N.
Air Force:	Brig. Gen. C. P. Cabell, U.S.A.F. (Acting), Jan. 1–May 1
	Gen. J. T. McNarney, U.S.A.F., May 2–Oct. 9
	Maj. Gen. H. R. Harmon, U.S.A.F.

THE ECONOMIC AND SOCIAL COUNCIL

United States Representative:

Willard L. Thorp

Deputy United States Representative:

Leroy D. Stinebower (Also Acting United States Representative, Feb. 28–Mar. 29, 1947)

Commissions of the Economic and Social Council and United States Representatives

Social	Arthur J. Altmeyer Katharine F. Lenroot, Alternate
Narcotics	Harry J. Anslinger
Transport and Communications	George P. Baker
Fiscal	Edward F. Bartelt
Population	Philip M. Hauser
Status of Women	Dorothy Kenyon
Economic and Employment	Isador Lubin
Statistical	Stuart A. Rice
Human Rights	Mrs. Franklin D. Roosevelt

Regional Commissions and United States Representatives

Economic Commission for Asia and the Far East	Monnett B. Davis
Economic Commission for Europe	William L. Clayton (Apr. 25–Oct. 15, 1947) Paul R. Porter, Alternate

THE TRUSTEESHIP COUNCIL

United States Representative:
Francis B. Sayre

Deputy United States Representative:
Benjamin Gerig

INTERNATIONAL CHILDREN'S EMERGENCY FUND

United States Representative, Executive Board:
Katharine F. Lenroot

SPECIALIZED AGENCIES OF THE UNITED NATIONS[2]

Food and Agriculture Organization of the United Nations

United States Representative, FAO Council:

Norris E. Dodd, Under Secretary of Agriculture

International Bank for Reconstruction and Development

United States Representative, Board of Governors:
John Snyder, Secretary of the Treasury

United States Executive Director:
Eugene R. Black

International Civil Aviation Organization

United States Representative:
Maj. Gen. Laurence S. Kuter

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[2] This list does not include membership on United States delegations to individual meetings of these organizations.

International Labor Organization

United States Member, Governing Body:
David J. Morse, Under Secretary of Labor

International Monetary Fund

United States Representative, Board of Governors:
John Snyder, Secretary of the Treasury

United States Executive Director:
Andrew N. Overby

International Refugee Organization

United States Representative, Preparatory Commission:
George L. Warren

United Nations Educational, Scientific and Cultural Organization

Member Executive Board:
George D. Stoddard (appointed by organization itself)

Universal Postal Union

(The United States appoints a representative only at the time of individual meetings.)

World Health Organization

United States Representative, Interim Commission:
Dr. Thomas S. Parran, Surgeon General, United States Public Health Service

International Trade Organization

Chairman, United States Delegation to United Nations Conference on Trade and Employment and its Temporary Committee:
William L. Clayton

International Telecommunication Union

United States Representative, Administrative Council:
Francis de Wolf

United States Representatives on Main Committees of the United Nations General Assembly, Second Regular Session, New York, September 16–November 29, 1947

General Committee

Warren R. Austin
Herschel V. Johnson

First Committee (Political and Security)

George C. Marshall, Secretary of State
Warren R. Austin
Herschel V. Johnson
John Foster Dulles
Charles Fahy
Adlai E. Stevenson

Second Committee (Economic and Financial)

Willard L. Thorp

Third Committee (Social, Humanitarian, and Cultural)

Mrs. Franklin D. Roosevelt

Fourth Committee (Trusteeship)

John Foster Dulles
Francis B. Sayre

Fifth Committee (Administrative and Budgetary)

Warren R. Austin
Adlai E. Stevenson

Sixth Committee (Legal)

Charles Fahy

Ad Hoc Committee on the Palestinian Question

Herschel V. Johnson
Maj. Gen. John H. Hilldring, U.S.A. (Ret.)

Ad Hoc Headquarters Committee

Warren R. Austin
Adlai E. Stevenson

Appendix V

MEMBERSHIP AND ORGANIZATION OF THE UNITED NATIONS AND SPECIALIZED AGENCIES

Membership of Principal Organs of the United Nations

THE GENERAL ASSEMBLY

The General Assembly consists of representatives of all states Members of the United Nations. As of December 31, 1947, the following 57 states were Members:

Afghanistan
Argentina
Australia
Belgium
Bolivia
Brazil
Byelorussian Soviet Socialist Republic
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Haiti
Honduras
Iceland
India
Iran
Iraq
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Pakistan[1]
Panama
Paraguay
Peru
Poland
Republic of the Philippines
Saudi Arabia
Siam
Sweden
Syria
Turkey
Ukrainian Soviet Socialist Republic
Union of South Africa

[1] Admitted Sept. 30, 1947.

Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland
United States of America
Uruguay
Venezuela
Yugoslavia
Yemen [1]

THE SECURITY COUNCIL

Permanent Members

China
France
Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland
United States of America

Non-Permanent Members [2]

Term Expires December 31, 1949:

Argentina
Canada
Ukrainian Soviet Socialist Republic

Term Expires December 31, 1948:

Belgium
Colombia
Syria

THE ECONOMIC AND SOCIAL COUNCIL [3]

Term Expires December 31, 1950:

Australia
Brazil
Denmark
Poland
Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland

Term Expires December 31, 1949:

Byelorussian Soviet Socialist Republic
Lebanon
New Zealand
Turkey
United States of America
Venezuela

Term Expires December 31, 1948:

Canada
Chile
China
France
Netherlands
Peru

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[1] Admitted Sept. 30, 1947.
[2] Three non-permanent members are elected each year for a term of two years.
[3] Six members are elected each year for a term of three years.

THE TRUSTEESHIP COUNCIL

States Administering Trust Territories

Australia
Belgium
France
New Zealand
United Kingdom of Great Britain and Northern Ireland
United States of America

States Not Administering Trust Territories

Members by Virtue of Being Permanent Members of the Security Council:

China
Union of Sovief Socialist Republics

Elected Members:

Term Expires December 31, 1950:

Costa Rica
Republic of the Philippines

Term Expires December 31, 1949:

Iraq
Mexico

THE INTERNATIONAL COURT OF JUSTICE

Term Expires 1955:

Jules Basdevant (France)
Dr. José Gustavo Guerrero (El Salvador)
Sir Arnold Duncan McNair (United Kingdom)
Dr. Alejandro Alvarez (Chile)
Dr. José Philadelpho de Barros Azevedo (Brazil)

Term Expires 1952:

Isidro Fabela Alfaro (Mexico)
Dr. Helge Klaestad (Norway)
Charles de Visscher (Belgium)
Green H. Hackworth (United States of America)
Prof. Sergei Borisovich Krylov (Union of Soviet Socialist Republics)

Term Expires 1949:

Dr. Milovan Zoricic (Yugoslavia)
John E. Read (Canada)
Dr. Bohdan Winiarski (Poland)
Dr. Abdel Hamid Badawi Pasha (Egypt)
Dr. Hsu Mo (China)

Membership of Specialized Agencies in Relationship With the United Nations, December 31, 1947

INTERNATIONAL LABOR ORGANIZATION

Afghanistan
Albania
Argentina
Australia
Austria
Belgium

Bolivia
Brazil
Bulgaria
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
Ethiopia
Finland
France
Greece
Guatemala
Haiti
Hungary
Iceland
India
Iran
Iraq
Ireland
Italy
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Norway
Pakistan
Panama
Peru
Poland
Portugal
Siam
Sweden
Switzerland
Turkey
Union of South Africa
United Kingdom
United States of America
Uruguay
Venezuela
Yugoslavia

FOOD AND AGRICULTURE ORGANIZATION

Australia
Austria
Belgium
Bolivia
Brazil
Burma
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Finland
France
Greece
Guatemala
Haiti
Honduras
Hungary
Iceland
India
Iraq
Ireland
Italy
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Pakistan
Panama
Paraguay
Peru
Philippine Republic
Poland
Portugal
Siam
Switzerland
Syria
Union of South Africa
United Kingdom
United States of America
Uruguay
Venezuela
Yugoslavia

INTERNATIONAL CIVIL AVIATION ORGANIZATION

Afghanistan
Argentina
Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Czechoslovakia
Denmark
Dominican Republic
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Iceland
India
Iraq
Ireland
Italy
Liberia
Mexico
Netherlands
New Zealand
Nicaragua
Norway
Pakistan
Paraguay
Peru
Poland
Portugal
Republic of the Philippines
Siam
Sweden
Switzerland

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Transjordan
Turkey
Union of South Africa
United Kingdom
United States of America
Venezuela

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Honduras
Iceland
India
Iran
Iraq
Italy
Lebanon
Luxembourg
Mexico
Netherlands
Nicaragua
Norway
Panama
Paraguay
Peru
Philippine Republic
Poland
Syria
Turkey
Union of South Africa
United Kingdom
United States of America
Uruguay
Venezuela
Yugoslavia

INTERNATIONAL MONETARY FUND

Australia
Belgium
Bolivia
Brazil
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Greece
Guatemala
Honduras
Iceland
India
Iran
Iraq
Italy
Lebanon
Luxembourg
Mexico
Netherlands
Nicaragua
Norway
Panama
Paraguay
Peru
Poland
Republic of the Philippines
Syria
Turkey
Union of South Africa
United Kingdom
United States of America
Uruguay
Venezuela
Yugoslavia

WORLD HEALTH ORGANIZATION

Interim Commission

Australia
Brazil
Canada
China
Egypt
France
India
Liberia
Mexico
Netherlands
Norway
Peru
Ukrainian Soviet Socialist Republic
Union of Soviet Socialist Republics
United Kingdom
United States of America
Venezuela
Yugoslavia

States which have accepted the Constitution of the World Health Organization

Albania
Austria
Canada
China
Ethiopia
Finland

Haiti
Iran
Iraq
Italy
Liberia
Netherlands
New Zealand
Norway
Saudi Arabia
Siam
Sweden
Switzerland
Syria
Transjordan
Turkey
Union of South Africa
United Kingdom
Yugoslavia

UNIVERSAL POSTAL UNION

Afghanistan
Albania
Algeria
Argentina
Australia
Austria
Belgian Congo
Belgium
Bolivia
Brazil
British Possessions, Colonies, Protectorates, Mandates, etc.
Bulgaria
Byelorussian Soviet Socialist Republic
Canada
Chile
China
Colombia
Costa Rica
Cuba
Curaçao and Surinam
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Finland
France
French Indochina
French Morocco
French Overseas Territories
Germany [1]
Greece
Guatemala
Haiti
Honduras
Hungary
Iceland
India
Iran
Iraq
Ireland
Italy
Japan [1]
Korea [1]
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
Netherlands Indies
New Zealand
Nicaragua
Norway
Panama
Paraguay
Peru
Poland
Portugal
Portuguese Colonies of West Africa and Colonies of East Africa, Asia, and the South Sea Islands
Republic of the Philippines
Rumania
San Marino
Saudi Arabia
Siam
Sweden
Switzerland
Syria
Transjordan
Tunisia
Turkey
Ukrainian Soviet Socialist Republic
Union of South Africa
Union of Soviet Socialist Republics
United Kingdom
United States of America
United States Possessions
Uruguay
Vatican City
Venezuela
Yemen
Yugoslavia

INTERNATIONAL TELECOMMUNICATION UNION

Afghanistan
Albania
Argentina
Australia
Austria
Belgian Congo and Territory of Ruanda Urundi
Belgium
Bolivia
Brazil
Burma
Byelorussian Soviet Socialist Republic
Bulgaria

[1] Germany, Japan, and Korea are parties to the Convention but will not be full members until the authorities administering these states deem it appropriate.

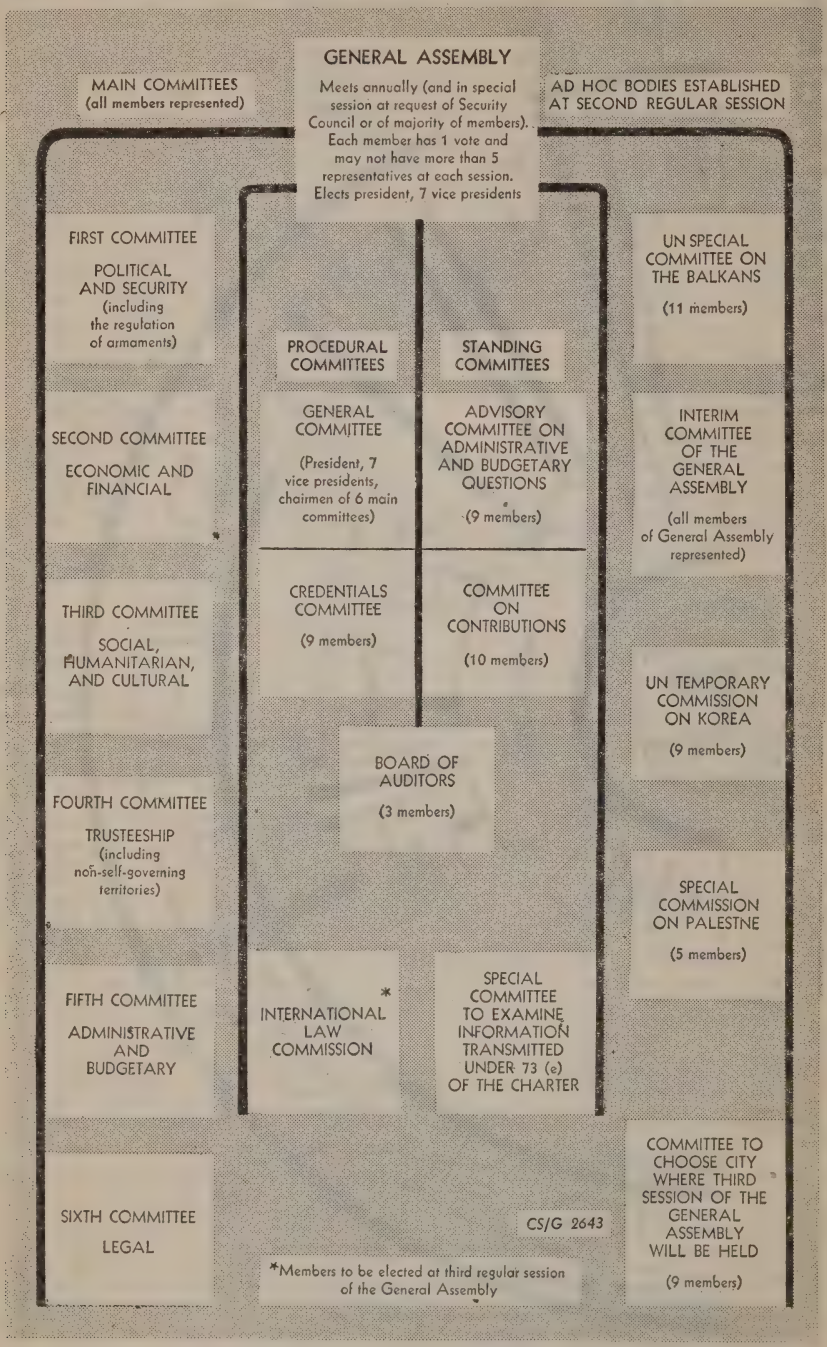
Canada
Chile
China
Colombia
Costa Rica
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
Finland
France
French Protectorates of Morocco and Tunisia
French Colonies, Protectorates and overseas territories under French mendate
Greece
Guatemala
Haiti
Honduras
Hungary
Iceland
India
Iran
Iraq
Ireland
Italy
Lebanon
Liberia
Luxembourg
Mexico
Monaco
Netherlands
Curaçao and Surinam
Netherlands Indies
New Zealand
Nicaragua
Norway
Pakistan
Panama
Paraguay
Peru
Philippines
Poland
Portugal
Portuguese Colonies
Rumania
Saudi Arabia
Siam
Southern Rhodesia
Sweden
Switzerland
Syria
Turkey
Ukrainian Soviet Socialist Republic.
Union of South Africa and the mandated territory of South West Africa
Union of Soviet Socialist Republics
United Kingdom
Colonies, Protectorates and overseas territories under suzerainty, mandate or trusteeship of the United Kingdom
United States and territories of the U.S.
Uruguay
Venezuela
Vatican City
Yemen
Yugoslavia

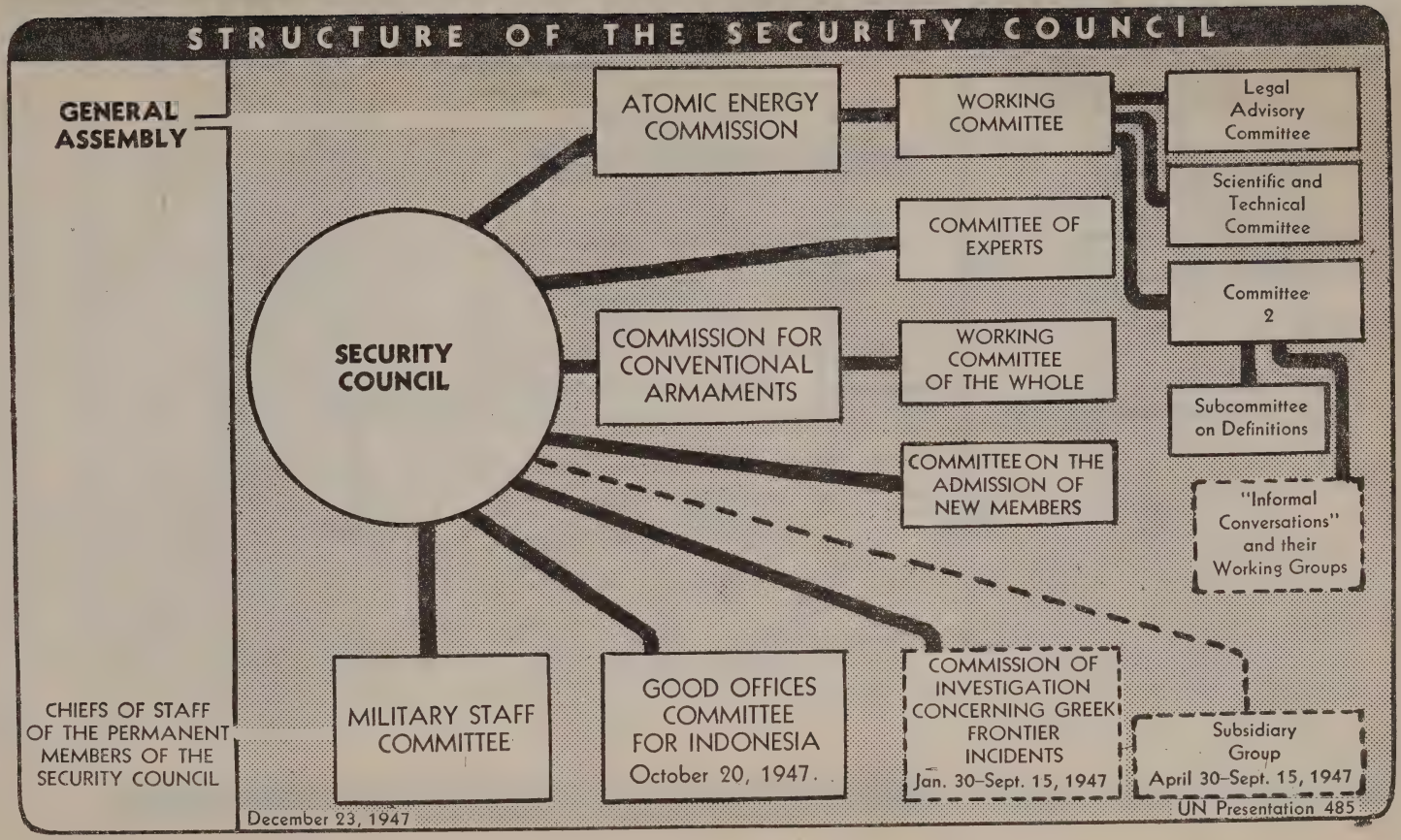
UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

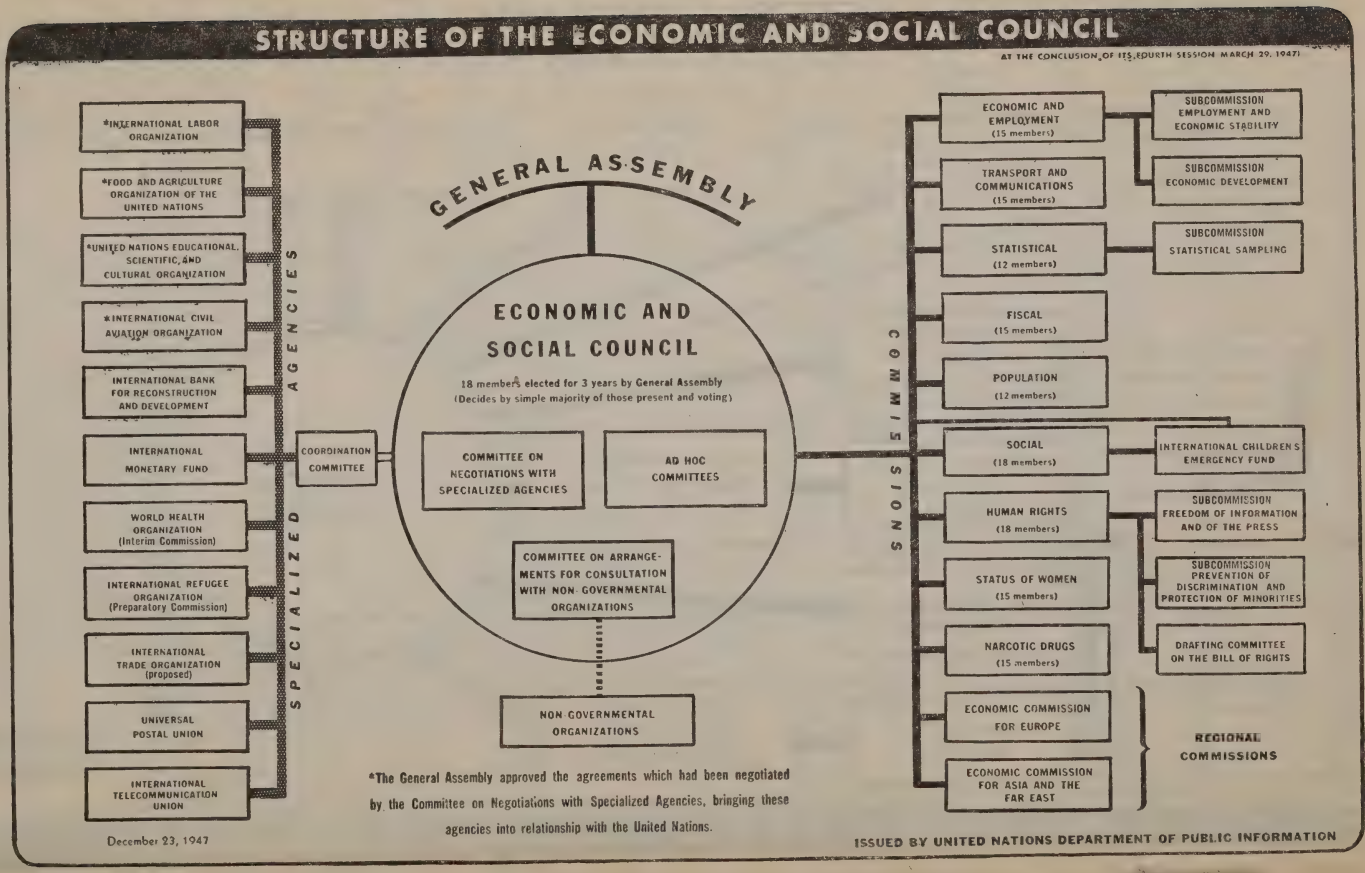
Australia
Austria
Belgium
Bolivia
Brazil
Canada
China
Colombia
Cuba
Czechoslovakia
Denmark
Dominican Republic
Ecuador
Egypt
El Salvador
France
Greece
Haiti
Hungary
India (including Pakistan)
Italy
Lebanon
Liberia
Luxembourg
Mexico
Netherlands
New Zealand
Norway
Peru
Poland
Republic of the Philippines
Saudi Arabia
Switzerland
Syria
Turkey
Union of South Africa
United Kingdom
United States of America
Uruguay
Venezuela

The United Nations
NATIONAL CONTINGENTS OF ARMED FORCES
LAND
SEA
AIR
REGIONAL SECURITY ARRANGEMENTS AND AGENCIES
MILITARY STAFF COMMITTEE
COMMISSION FOR CONVENTIONAL ARMAMENTS
ATOMIC ENERGY COMMISSION
SECURITY COUNCIL
TRUSTEESHIP COUNCIL
NARCOTIC DRUGS
POPULATION
SOCIAL
STATUS OF WOMEN
HUMAN RIGHTS
INTERNATIONAL CHILDREN'S EMERGENCY FUND
GENERAL ASSEMBLY
SECRETARIAT
ECONOMIC AND SOCIAL COUNCIL
INTER-NATIONAL COURT OF JUSTICE
IRO
INTERNATIONAL REFUGEE ORGANIZATION
WHO
WORLD HEALTH ORGANIZATION
UNESCO
UNITED NATIONS EDUCATIONAL SCIENTIFIC AND CULTURAL ORGN
IMCO
INTERGOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION
ICAO
INTERNATIONAL CIVIL AVIATION ORGANIZATION
UPU
UNIVERSAL POSTAL UNION
ITU
INTERNATIONAL TELECOMMUNICATION UNION
ITO
INTERNATIONAL TRADE ORGANIZATION
TRANSPORT AND COMMUNICATIONS
STATISTICAL
FISCAL
ECONOMIC AND EMPLOYMENT
ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST
ECONOMIC COMMISSION FOR EUROPE
COMMISSIONS
FUND
INTERNATIONAL MONETARY FUND
BANK
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
FAO
FOOD AND AGRICULTURE ORGANIZATION
ILO
INTERNATIONAL LABOR ORGANIZATION
SPECIALIZED AGENCIES
- NOT YET FULLY ORGANIZED
INDIRECT RELATIONSHIP
CS/G 2021. 8

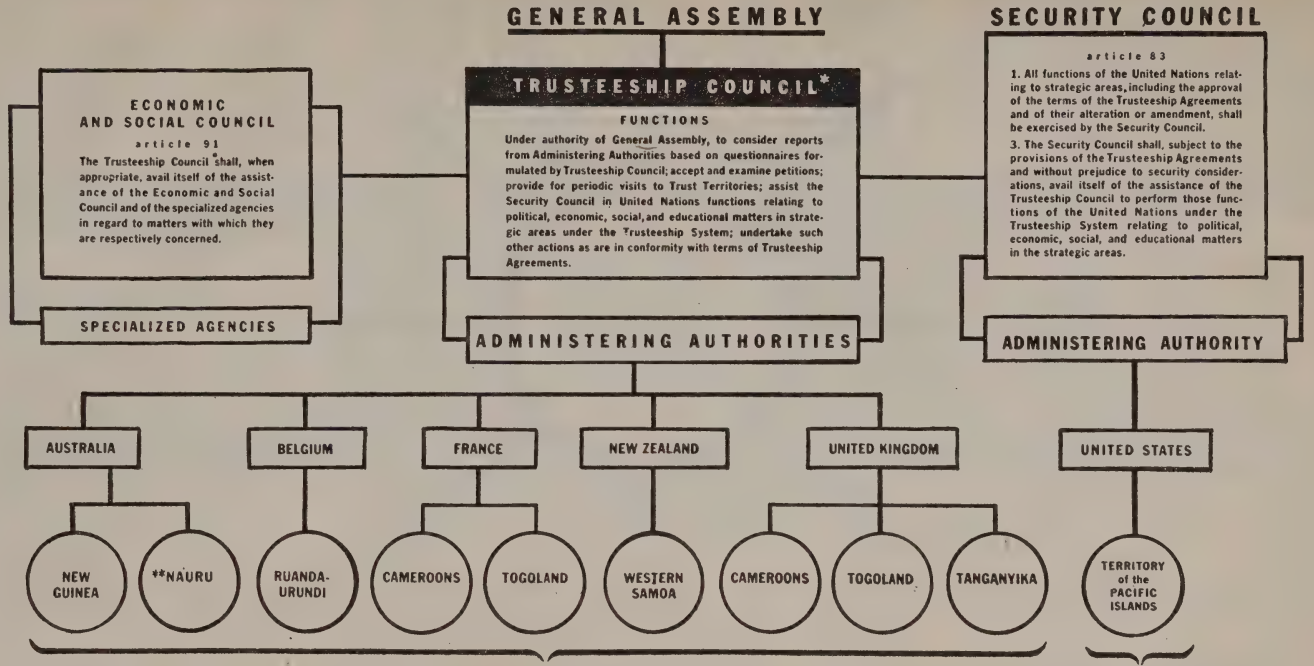
THE GENERAL ASSEMBLY AND ITS COMMITTEES


GENERAL ASSEMBLY
Meets annually (and in special session at request of Security Council or of majority of members). Each member has 1 vote and may not have more than 5 representatives at each session. Elects president, 7 vice presidents
MAIN COMMITTEES (all members represented)
AD HOC BODIES ESTABLISHED AT SECOND REGULAR SESSION
FIRST COMMITTEE
POLITICAL AND SECURITY (including the regulation of armaments)
SECOND COMMITTEE
ECONOMIC AND FINANCIAL
THIRD COMMITTEE
SOCIAL, HUMANITARIAN, AND CULTURAL
FOURTH COMMITTEE
TRUSTEESHIP (including non-self-governing territories)
FIFTH COMMITTEE
ADMINISTRATIVE AND BUDGETARY
SIXTH COMMITTEE
LEGAL
PROCEDURAL COMMITTEES
STANDING COMMITTEES
GENERAL COMMITTEE
(President, 7 vice presidents, chairmen of 6 main committees)
ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS
(9 members)
CREDENTIALS COMMITTEE
(9 members)
COMMITTEE ON CONTRIBUTIONS
(10 members)
BOARD OF AUDITORS
(3 members)
INTERNATIONAL LAW COMMISSION *
SPECIAL COMMITTEE TO EXAMINE INFORMATION TRANSMITTED UNDER 73 (e) OF THE CHARTER
UN SPECIAL COMMITTEE ON THE BALKANS
(11 members)
INTERIM COMMITTEE OF THE GENERAL ASSEMBLY
(all members of General Assembly represented)
UN TEMPORARY COMMISSION ON KOREA
(9 members)
SPECIAL COMMISSION ON PALESTNE
(5 members)
COMMITTEE TO CHOOSE CITY WHERE THIRD SESSION OF THE GENERAL ASSEMBLY WILL BE HELD
(9 members)
CS/G 2643
*Members to be elected at third regular session of the General Assembly


STRUCTURE OF THE SECURITY COUNCIL
GENERAL ASSEMBLY
SECURITY COUNCIL
ATOMIC ENERGY COMMISSION
WORKING COMMITTEE
Legal Advisory Committee
Scientific and Technical Committee
COMMITTEE OF EXPERTS
Committee 2
COMMISSION FOR CONVENTIONAL ARMAMENTS
WORKING COMMITTEE OF THE WHOLE
Subcommittee on Definitions
COMMITTEE ON THE ADMISSION OF NEW MEMBERS
"Informal Conversations" and their Working Groups
CHIEFS OF STAFF OF THE PERMANENT MEMBERS OF THE SECURITY COUNCIL
MILITARY STAFF COMMITTEE
GOOD OFFICES COMMITTEE FOR INDONESIA
October 20, 1947.
COMMISSION OF INVESTIGATION CONCERNING GREEK FRONTIER INCIDENTS
Jan. 30–Sept. 15, 1947
Subsidiary Group
April 30–Sept. 15, 1947
December 23, 1947
UN Presentation 485


STRUCTURE OF THE ECONOMIC AND SOCIAL COUNCIL
AT THE CONCLUSION OF ITS FOURTH SESSION MARCH 29, 1947
GENERAL ASSEMBLY
ECONOMIC AND SOCIAL COUNCIL
18 members elected for 3 years by General Assembly
(Decides by simple majority of those present and voting)
COMMITTEE ON NEGOTIATIONS WITH SPECIALIZED AGENCIES
AD HOC COMMITTEES
COMMITTEE ON ARRANGEMENTS FOR CONSULTATION WITH NON-GOVERNMENTAL ORGANIZATIONS
NON-GOVERNMENTAL ORGANIZATIONS
COORDINATION COMMITTEE
SPECIALIZED AGENCIES
*INTERNATIONAL LABOR ORGANIZATION
*FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
*UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION
*INTERNATIONAL CIVIL AVIATION ORGANIZATION
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL MONETARY FUND
WORLD HEALTH ORGANIZATION (Interim Commission)
INTERNATIONAL REFUGEE ORGANIZATION (Preparatory Commission)
INTERNATIONAL TRADE ORGANIZATION (proposed)
UNIVERSAL POSTAL UNION
INTERNATIONAL TELECOMMUNICATION UNION
COMMISSIONS
ECONOMIC AND EMPLOYMENT (15 members)
SUBCOMMISSION EMPLOYMENT AND ECONOMIC STABILITY
TRANSPORT AND COMMUNICATIONS (15 members)
SUBCOMMISSION ECONOMIC DEVELOPMENT
STATISTICAL (12 members)
SUBCOMMISSION STATISTICAL SAMPLING
FISCAL (15 members)
POPULATION (12 members)
SOCIAL (18 members)
INTERNATIONAL CHILDREN'S EMERGENCY FUND
HUMAN RIGHTS (18 members)
SUBCOMMISSION FREEDOM OF INFORMATION AND OF THE PRESS
SUBCOMMISSION PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES
STATUS OF WOMEN (15 members)
NARCOTIC DRUGS (15 members)
DRAFTING COMMITTEE ON THE BILL OF RIGHTS
ECONOMIC COMMISSION FOR EUROPE
ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST
REGIONAL COMMISSIONS
*The General Assembly approved the agreements which had been negotiated by the Committee on Negotiations with Specialized Agencies, bringing these agencies into relationship with the United Nations.
December 23, 1947
ISSUED BY UNITED NATIONS DEPARTMENT OF PUBLIC INFORMATION

STRUCTURE AND FUNCTIONS OF THE INTERNATIONAL TRUSTEESHIP SYSTEM

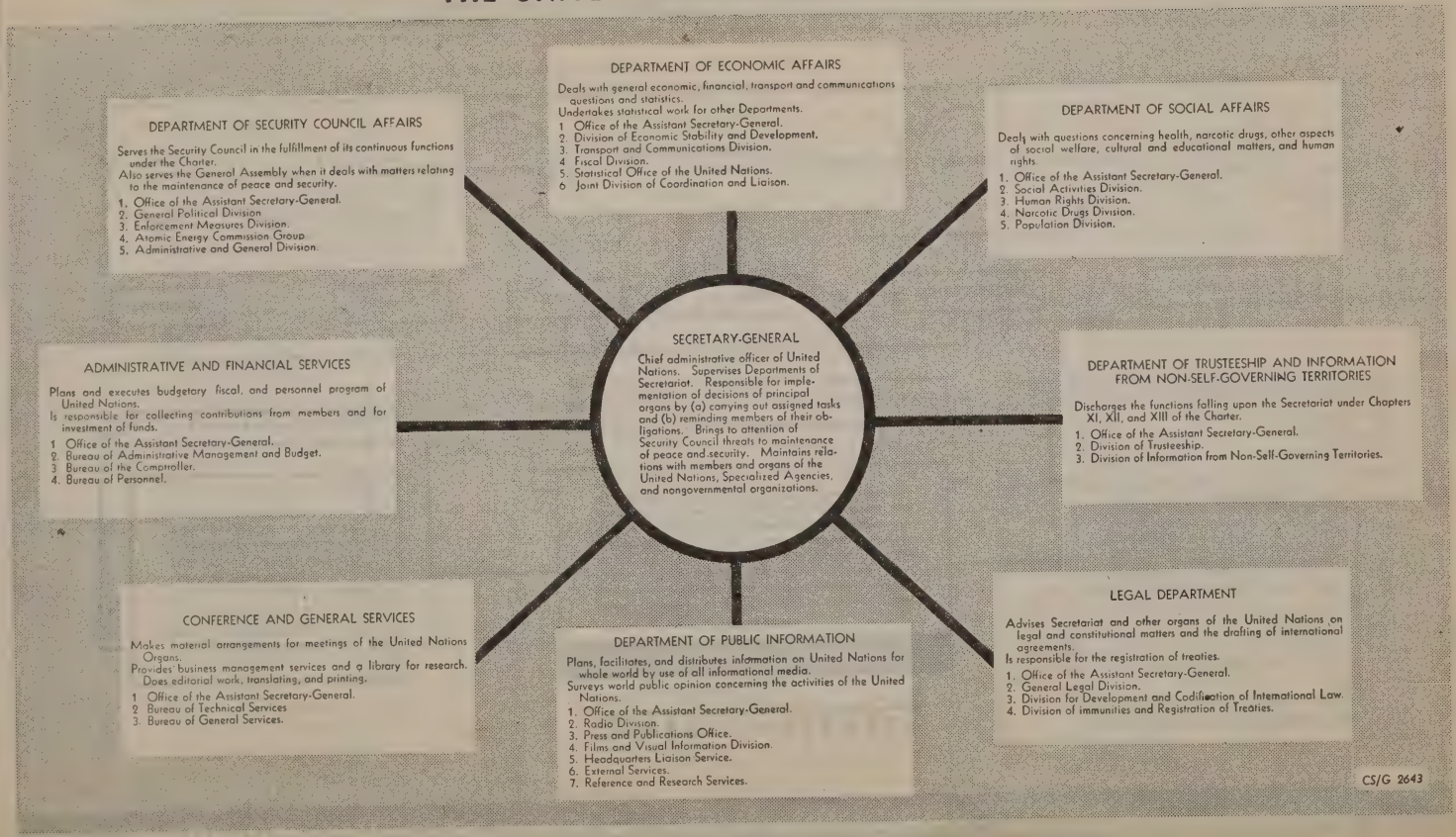

GENERAL ASSEMBLY
SECURITY COUNCIL
ECONOMIC AND SOCIAL COUNCIL
article 91
The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.
SPECIALIZED AGENCIES
TRUSTEESHIP COUNCIL*
FUNCTIONS
Under authority of General Assembly, to consider reports from Administering Authorities based on questionnaires formulated by Trusteeship Council; accept and examine petitions; provide for periodic visits to Trust Territories; assist the Security Council in United Nations functions relating to political, economic, social, and educational matters in strategic areas under the Trusteeship System; undertake such other actions as are in conformity with terms of Trusteeship Agreements.
article 83
1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the Trusteeship Agreements and of their alteration or amendment, shall be exercised by the Security Council.
3. The Security Council shall, subject to the provisions of the Trusteeship Agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the Trusteeship System relating to political, economic, social, and educational matters in the strategic areas.
ADMINISTERING AUTHORITIES
ADMINISTERING AUTHORITY
AUSTRALIA
BELGIUM
FRANCE
NEW ZEALAND
UNITED KINGDOM
UNITED STATES
NEW GUINEA
**NAURU
RUANDA-URUNDI
CAMEROONS
TOGOLAND
WESTERN SAMOA
CAMEROONS
TOGOLAND
TANGANYIKA
TERRITORY of the PACIFIC ISLANDS
TRUST TERRITORIES
STRATEGIC TRUST TERRITORY

* MEMBERSHIP (Art. 86): Members administering Trust Territories (Australia, Belgium, France, New Zealand, United Kingdom, United States); permanent members of the Security Council not administering Trust Territories (China, USSR); enough other Members elected by General Assembly for 3-year terms to ensure that there is an equal number of Members which administer Trust Territories and those which do not (Iraq, Mexico, elected Dec. 1946; Costa Rica, Philippines, elected Nov. 1947)

**Administered by Australia, on behalf of Australia, New Zealand, and the United Kingdom as joint Administering Authorities.

ISSUED BY UNITED NATIONS DEPARTMENT OF PUBLIC INFORMATION NOVEMBER 1947

THE UNITED NATIONS SECRETARIAT


DEPARTMENT OF ECONOMIC AFFAIRS
Deals with general economic, financial, transport and communications questions and statistics.
Undertakes statistical work for other Departments.
1 Office of the Assistant Secretary-General.
2. Division of Economic Stability and Development.
3. Transport and Communications Division.
4 Fiscal Division.
5. Statistical Office of the United Nations.
6 Joint Division of Coordination and Liaison.
DEPARTMENT OF SECURITY COUNCIL AFFAIRS
Serves the Security Council in the fulfillment of its continuous functions under the Charter.
Also serves the General Assembly when it deals with matters relating to the maintenance of peace and security.
1. Office of the Assistant Secretary-General.
2. General Political Division
3. Enforcement Measures Division.
4. Atomic Energy Commission Group
5. Administrative and General Division.
DEPARTMENT OF SOCIAL AFFAIRS
Deals with questions concerning health, narcotic drugs, other aspects of social welfare, cultural and educational matters, and human rights.
1. Office of the Assistant Secretary-General.
2. Social Activities Division.
3. Human Rights Division.
4. Narcotic Drugs Division.
5. Population Division.
SECRETARY-GENERAL
Chief administrative officer of United Nations. Supervises Departments of Secretariat. Responsible for implementation of decisions of principal organs by (a) carrying out assigned tasks and (b) reminding members of their obligations. Brings to attention of Security Council threats to maintenance of peace and security. Maintains relations with members and organs of the United Nations, Specialized Agencies, and nongovernmental organizations.
ADMINISTRATIVE AND FINANCIAL SERVICES
Plans and executes budgetary fiscal, and personnel program of United Nations.
Is responsible for collecting contributions from members and for investment of funds.
1 Office of the Assistant Secretary-General.
2. Bureau of Administrative Management and Budget.
3 Bureau of the Comptroller.
4. Bureau of Personnel.
DEPARTMENT OF TRUSTEESHIP AND INFORMATION FROM NON-SELF-GOVERNING TERRITORIES
Discharges the functions falling upon the Secretariat under Chapters XI, XII, and XIII of the Charter.
1. Office of the Assistant Secretary-General.
2. Division of Trusteeship.
3. Division of Information from Non-Self-Governing Territories.
CONFERENCE AND GENERAL SERVICES
Makes material arrangements for meetings of the United Nations Organs.
Provides business management services and a library for research. Does editorial work, translating, and printing.
1 Office of the Assistant Secretary-General.
2 Bureau of Technical Services
3. Bureau of General Services.
DEPARTMENT OF PUBLIC INFORMATION
Plans, facilitates, and distributes information on United Nations for whole world by use of all informational media.
Surveys world public opinion concerning the activities of the United Nations.
1. Office of the Assistant Secretary-General.
2. Radio Division.
3. Press and Publications Office.
4. Films and Visual Information Division.
5. Headquarters Liaison Service.
6. External Services.
7. Reference and Research Services.
LEGAL DEPARTMENT
Advises Secretariat and other organs of the United Nations on legal and constitutional matters and the drafting of international agreements.
Is responsible for the registration of treaties.
1. Office of the Assistant Secretary-General.
2. General Legal Division.
3. Division for Development and Codification of International Law.
4. Division of immunities and Registration of Treaties.
CS/G 2643

Appendix VI

DOCUMENTS AND PUBLICATIONS CONCERNING THE UNITED NATIONS

United Nations Documents and Publications

The United Nations documentation policy provides that the most important of the United Nations records shall be printed in the official languages: French and English (which also are the working languages), Chinese, Russian, and Spanish. The published documents include the resolutions of the principal organs, verbatim records of the Security Council and the General Assembly plenary meetings, summary records of the meetings of General Assembly committees and meetings of the Economic and Social Council and the Trusteeship Council, the more important proposals discussed by the major organs, and the major reports submitted for their consideration. These are now consolidated in the Official Record Series for each organ, with reports as supplements thereto. In practice, the budgetary limitations for editorial and translating staff and printing have considerably delayed publication of official records. Published documents may be purchased through the United Nations sales agent, the International Documents Service, Columbia University Press, 2960 Broadway, New York 27, New York. Upon request to that agent, the *United Nations Publications Catalog* may be obtained, which contains a list of the documents for sale by the United Nations, with a brief description of each item.

The United Nations has begun publication of an annual *Yearbook of the United Nations* (961 pp., $10), which contains a narrative account of the development of the United Nations including the San Francisco Conference, the Preparatory Commission, and the meetings of the United Nations up to July 1, 1947. The narrative is supported by the texts of resolutions and the action taken by United Nations bodies. Brief accounts of specialized agencies are also included.

Other publications available from the International Documents Service which contain valuable information about the United Nations are:

The Yearbook of the International Court of Justice, 1946–1947 ($1.50), an annual publication which contains information concerning its organization, jurisdiction, and activities.

United Nations Bi-Weekly Bulletin ($3 a year, 15 cents a copy), a publication which carries accounts and analyses of proceedings and decisions and provides background information on the various meetings and forthcoming events of the United Nations.

Monthly Bulletin of Statistics ($5 a year, 50 cents a copy), a bulletin containing information on fuel and power, food, transportation, external trade, current figures on employment and unemployment, industry, production, raw material and manufacturing, finance, wages, and prices.

United Nations Treaty Series, an annual publication which lists treaties and international agreements registered or filed and recorded with the Secretariat of the United Nations. This publication is a continuation of the *League of Nations Treaty Series*.

To assist study and research the United Nations has set up depository libraries throughout the world to receive United Nations documents. Twenty-five libraries throughout the United States have been designated as depository libraries to which most mimeographed United Nations documents are supplied.[1] This service, inaugurated by the

[1] Harvard University Library, Cambridge, Mass.
Yale University Library, New Haven, Conn.
Brown University, Providence, R.I.
New York Public Library, 476 Fifth Avenue, New York, N.Y.
Columbia University Library, Columbia University, New York 27, N.Y.
Johns Hopkins University Library, Baltimore 18, Md.
Cornell University Library, Ithaca, N.Y.
Princeton University Library, Princeton, N.J.
University of North Carolina Library, Chapel Hill, N.C.
Joint University Libraries, Nashville, Tenn.
Louisiana State University Library, University Street, Baton Rouge, La.
University of Texas Library, Austin, Tex.
University of Chicago Library, Chicago, Ill.
Northwestern University Library, Evanston, Ill.
Cleveland Public Library, 325 Superior Ave. N.E., Cleveland 14, Ohio
St. Louis Public Library, St. Louis, Mo.
University of Michigan Library, Ann Arbor, Mich.
Denver Public Library, Denver, Colo.
University of California Library, Berkeley, Calif.
Stanford University Library, Stanford University, Calif.
University of California at Los Angeles, Los Angeles, Calif.
Los Angeles Public Library, Los Angeles, Calif.
University of Washington, Seattle, Wash.
University of Illinois, Urbana, Ill.
University of Minnesota Library, Minneapolis, Minn.

United States Mission to the United Nations, has now been assumed by the United Nations itself. These depository libraries, selected by the American Library Association, are situated in principal centers of research throughout the country, with due regard to an adequate geographical distribution. In addition, the United Nations exchanges documents on a reciprocal basis with a number of foundations and research organizations. United Nations documents are available in the Library of Congress and in the libraries of a number of Government agencies that are concerned with questions of international relations.

During 1948 the United Nations plans to make available all United Nations documents which are not classified as "restricted" on a subscription basis.

Department of State Publications

Important United States policy statements on United Nations matters are regularly published in the *Department of State Bulletin* ($5 a year, Superintendent of Documents, Government Printing Office, Washington 25, D.C.), which, from time to time, also contains important United Nations resolutions. The *Bulletin* frequently publishes articles summarizing and explaining the work of United Nations organs and agencies and the position of the United States in respect to United Nations questions. The Department of State also, from time to time, publishes separate pamphlets and documents dealing with matters of interest to the United States which are before the United Nations. The Department has established the practice of issuing reports of its delegations to the more important meetings under the United Nations. These are published in the *International Organization and Conference Series*, issued as soon as possible after United Nations meetings. This series also includes carefully prepared papers on a variety of subjects for aid to study groups. Lists of such publications may be obtained from the Division of Publications, Department of State.

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